

106TH CONGRESS
2D SESSION

S. 2787

To reauthorize the Federal programs to prevent violence against women,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2000

Mr. BIDEN (for himself, Mr. HATCH, Mr. LEAHY, Mr. ABRAHAM, Mr. KENNEDY, Mr. SPECTER, Mr. KOHL, Mr. ROTH, Mrs. FEINSTEIN, Mr. JEFFORDS, Mr. TORRICELLI, Ms. SNOWE, Mr. SCHUMER, Mr. DEWINE, Mrs. MURRAY, Mr. ASHCROFT, Ms. LANDRIEU, Mr. MURKOWSKI, Mr. LAUTENBERG, Mr. SANTORUM, Mr. REID, Ms. COLLINS, Mr. REED, Mrs. HUTCHISON, Mr. DODD, Mr. L. CHAFEE, Mr. KERRY, Mr. ALLARD, Ms. MIKULSKI, Mr. SMITH of Oregon, Mr. ROBB, Mr. WELLSTONE, Mr. SARBANES, Mr. DASCHLE, Mr. BRYAN, Mr. JOHNSON, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. LEVIN, Mr. BYRD, Mr. CLELAND, Mr. DORGAN, Mr. EDWARDS, Mr. HOLLINGS, Mr. BREAUX, Mr. KERREY, Mr. HARKIN, Mr. BAYH, Mr. GRAHAM, and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To reauthorize the Federal programs to prevent violence
against women, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Violence Against Women Act of 2000”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Definitions.
 Sec. 3. Accountability and oversight.

TITLE I—STRENGTHENING LAW ENFORCEMENT TO REDUCE VIOLENCE AGAINST WOMEN

- Sec. 101. Full faith and credit enforcement of protection orders.
 Sec. 102. Role of courts.
 Sec. 103. Reauthorization of STOP grants.
 Sec. 104. Reauthorization of grants to encourage arrest policies.
 Sec. 105. Reauthorization of rural domestic violence and child abuse enforcement grants.
 Sec. 106. National stalker and domestic violence reduction.
 Sec. 107. Amendments to domestic violence and stalking offenses.
 Sec. 108. Grants to reduce violent crimes against women on campus.

TITLE II—STRENGTHENING SERVICES TO VICTIMS OF VIOLENCE

- Sec. 201. Legal assistance for victims.
 Sec. 202. Shelter services for battered women and children.
 Sec. 203. Transitional housing assistance for victims of domestic violence.
 Sec. 204. National domestic violence hotline.
 Sec. 205. Federal victims counselors.
 Sec. 206. Study of State laws regarding insurance discrimination against victims of violence against women.
 Sec. 207. Study of workplace effects from violence against women.
 Sec. 208. Study of unemployment compensation for victims of violence against women.
 Sec. 209. Enhancing protections for older women from domestic violence and sexual assault.

TITLE III—LIMITING THE EFFECTS OF VIOLENCE ON CHILDREN

- Sec. 301. Safe havens for children pilot program.
 Sec. 302. Reauthorization of runaway and homeless youth grants.
 Sec. 303. Reauthorization of victims of child abuse programs.
 Sec. 304. Report on effects of parental kidnapping laws in domestic violence cases.

TITLE IV—STRENGTHENING EDUCATION AND TRAINING TO COMBAT VIOLENCE AGAINST WOMEN

- Sec. 401. Education and training in appropriate responses to violence against women.
 Sec. 402. Rape prevention and education.
 Sec. 403. Education and training to end violence against and abuse of women with disabilities.
 Sec. 404. Community initiatives.
 Sec. 405. Development of research agenda identified by the Violence Against Women Act of 1994.

TITLE V—BATTERED IMMIGRANT WOMEN

- Sec. 501. Short title.
- Sec. 502. Findings and purposes.
- Sec. 503. Improved access to immigration protections of the Violence Against Women Act of 1994 for battered immigrant women.
- Sec. 504. Improved access to cancellation of removal and suspension of deportation under the Violence Against Women Act of 1994.
- Sec. 505. Offering equal access to immigration protections of the Violence Against Women Act of 1994 for all qualified battered immigrant self-petitioners.
- Sec. 506. Restoring immigration protections under the Violence Against Women Act of 1994.
- Sec. 507. Remedying problems with implementation of the immigration provisions of the Violence Against Women Act of 1994.
- Sec. 508. Technical correction to qualified alien definition for battered immigrants.
- Sec. 509. Access to Cuban Adjustment Act for battered immigrant spouses and children.
- Sec. 510. Access to the Nicaraguan Adjustment and Central American Relief Act for battered spouses and children.
- Sec. 511. Access to the Haitian Refugee Fairness Act of 1998 for battered spouses and children.
- Sec. 512. Access to services and legal representation for battered immigrants.

TITLE VI—EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND

- Sec. 601. Extension of Violent Crime Reduction Trust Fund.

1 **SEC. 2. DEFINITIONS.**

2 In this Act—

3 (1) the term “domestic violence” has the mean-
 4 ing given the term in section 2003 of title I of the
 5 Omnibus Crime Control and Safe Streets Act of
 6 1968 (42 U.S.C. 3796gg–2); and

7 (2) the term “sexual assault” has the meaning
 8 given the term in section 2003 of title I of the Om-
 9 nibus Crime Control and Safe Streets Act of 1968
 10 (42 U.S.C. 3796gg–2).

11 **SEC. 3. ACCOUNTABILITY AND OVERSIGHT.**

12 (a) REPORT BY GRANT RECIPIENTS.—The Attorney
 13 General or Secretary of Health and Human Services, as

1 applicable, shall require grantees under any program au-
 2 thorized or reauthorized by this Act or an amendment
 3 made by this Act to report on the effectiveness of the ac-
 4 tivities carried out with amounts made available to carry
 5 out that program, including number of persons served, if
 6 applicable, numbers of persons seeking services who could
 7 not be served and such other information as the Attorney
 8 General or Secretary may prescribe.

9 (b) REPORT TO CONGRESS.—The Attorney General
 10 or Secretary of Health and Human Services, as applicable,
 11 shall report annually to the Committees on the Judiciary
 12 of the House of Representatives and the Senate on the
 13 grant programs described in subsection (a), including the
 14 information contained in any report under that subsection.

15 **TITLE I—STRENGTHENING LAW**
 16 **ENFORCEMENT TO REDUCE**
 17 **VIOLENCE AGAINST WOMEN**

18 **SEC. 101. FULL FAITH AND CREDIT ENFORCEMENT OF PRO-**
 19 **TECTION ORDERS.**

20 (a) IN GENERAL.—Part U of title I of the Omnibus
 21 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
 22 3796hh et seq.) is amended—

23 (1) in the heading, by adding “**AND EN-**
 24 **FORCEMENT OF PROTECTION OR-**
 25 **TERS**” at the end;

1 (2) in section 2101(b)—

2 (A) in paragraph (6), by inserting “(in-
3 cluding juvenile courts)” after “courts”; and

4 (B) by adding at the end the following:

5 “(7) To provide technical assistance and com-
6 puter and other equipment to police departments,
7 prosecutors, courts, and tribal jurisdictions to facili-
8 tate the widespread enforcement of protection or-
9 ders, including interstate enforcement, enforcement
10 between States and tribal jurisdictions, and enforce-
11 ment between tribal jurisdictions.”; and

12 (3) in section 2102—

13 (A) in subsection (b)—

14 (i) in paragraph (1), by striking
15 “and” at the end;

16 (ii) in paragraph (2), by striking the
17 period at the end and inserting “, includ-
18 ing the enforcement of protection orders
19 from other States and jurisdictions (includ-
20 ing tribal jurisdictions);”; and

21 (iii) by adding at the end the fol-
22 lowing:

23 “(3) have established cooperative agreements or
24 can demonstrate effective ongoing collaborative ar-
25 rangements with neighboring jurisdictions to facili-

1 tate the enforcement of protection orders from other
 2 States and jurisdictions (including tribal jurisdic-
 3 tions); and

4 “(4) will give priority to using the grant to de-
 5 velop and install data collection and communication
 6 systems, including computerized systems, and train-
 7 ing on how to use these systems effectively to link
 8 police, prosecutors, courts, and tribal jurisdictions
 9 for the purpose of identifying and tracking protec-
 10 tion orders and violations of protection orders, in
 11 those jurisdictions where such systems do not exist
 12 or are not fully effective.”; and

13 (B) by adding at the end the following:

14 “(c) DISSEMINATION OF INFORMATION.—The Attor-
 15 ney General shall annually compile and broadly dissemi-
 16 nate (including through electronic publication) informa-
 17 tion about successful data collection and communication
 18 systems that meet the purposes described in this section.
 19 Such dissemination shall target States, State and local
 20 courts, Indian tribal governments, and units of local gov-
 21 ernment.”.

22 (b) PROTECTION ORDERS.—

23 (1) FILING COSTS.—Section 2006 of part T of
 24 title I of the Omnibus Crime Control and Safe

1 Streets Act of 1968 (42 U.S.C. 3796gg-5) is
 2 amended—

3 (A) in the heading, by striking “**FILING**”
 4 and inserting “**AND PROTECTION ORDERS**”
 5 after “**CHARGES**”;

6 (B) in subsection (a)—

7 (i) by striking paragraph (1) and in-
 8 serting the following:

9 “(1) certifies that its laws, policies, and prac-
 10 tices do not require, in connection with the prosecu-
 11 tion of any misdemeanor or felony domestic violence
 12 offense, or in connection with the filing, issuance,
 13 registration, or service of a protection order, or a pe-
 14 tition for a protection order, to protect a victim of
 15 domestic violence, stalking, or sexual assault, that
 16 the victim bear the costs associated with the filing
 17 of criminal charges against the offender, or the costs
 18 associated with the filing, issuance, registration, or
 19 service of a warrant, protection order, petition for a
 20 protection order, or witness subpoena, whether
 21 issued inside or outside the State, tribal, or local ju-
 22 risdiction; or”; and

23 (ii) in paragraph (2)(B), by striking
 24 “2 years” and inserting “2 years after the

1 date of enactment of the Violence Against
 2 Women Act of 2000”; and

3 (C) by adding at the end the following:

4 “(c) DEFINITION.—In this section, the term ‘protec-
 5 tion order’ has the meaning given the term in section 2266
 6 of title 18, United States Code.”.

7 (2) ELIGIBILITY FOR GRANTS TO ENCOURAGE
 8 ARREST POLICIES.—Section 2101 of part U of title
 9 I of the Omnibus Crime Control and Safe Streets
 10 Act of 1968 (42 U.S.C. 3796hh) is amended—

11 (A) in subsection (c), by striking para-
 12 graph (4) and inserting the following:

13 “(4) certify that their laws, policies, and prac-
 14 tices do not require, in connection with the prosecu-
 15 tion of any misdemeanor or felony domestic violence
 16 offense, or in connection with the filing, issuance,
 17 registration, or service of a protection order, or a pe-
 18 tition for a protection order, to protect a victim of
 19 domestic violence, stalking, or sexual assault, that
 20 the victim bear the costs associated with the filing
 21 of criminal charges against the offender, or the costs
 22 associated with the filing, issuance, registration, or
 23 service of a warrant, protection order, petition for a
 24 protection order, or witness subpoena, whether

1 issued inside or outside the State, tribal, or local ju-
 2 risdiction.”; and

3 (B) by adding at the end the following:

4 “(d) DEFINITION.—In this section, the term ‘protec-
 5 tion order’ has the meaning given the term in section 2266
 6 of title 18, United States Code.”.

7 (3) APPLICATION FOR GRANTS TO ENCOURAGE
 8 ARREST POLICIES.—Section 2102(a)(1)(B) of part
 9 U of title I of the Omnibus Crime Control and Safe
 10 Streets Act of 1968 (42 U.S.C. 3796hh–1(a)(1)(B))
 11 is amended by inserting before the semicolon the fol-
 12 lowing: “or, in the case of the condition set forth in
 13 subsection 2101(c)(4), the expiration of the 2-year
 14 period beginning on the date of enactment of the Vi-
 15 olence Against Women Act of 2000”.

16 (4) REGISTRATION FOR PROTECTION OR-
 17 DERS.—Section 2265 of title 18, United States
 18 Code, is amended by adding at the end the fol-
 19 lowing:

20 “(d) REGISTRATION.—

21 “(1) IN GENERAL.—A State or Indian tribe ac-
 22 cording full faith and credit to an order by a court
 23 of another State or Indian tribe shall not notify the
 24 party against whom a protection order has been
 25 issued that the protection order has been registered

1 or filed in that enforcing State or tribal jurisdiction
2 unless requested to do so by the party protected
3 under such order.

4 “(2) NO PRIOR REGISTRATION OR FILING RE-
5 QUIRED.—Any protection order that is otherwise
6 consistent with this section shall be accorded full
7 faith and credit, notwithstanding any requirement
8 that the order be registered or filed in the enforcing
9 State or tribal jurisdiction.

10 “(e) NOTICE.—A protection order that is otherwise
11 consistent with this section shall be accorded full faith and
12 credit and enforced notwithstanding the failure to provide
13 notice to the party against whom the order is made of
14 its registration or filing in the enforcing State or Indian
15 tribe.

16 “(f) TRIBAL COURT JURISDICTION.—For purposes of
17 this section, a tribal court shall have full civil jurisdiction
18 over domestic relations actions, including authority to en-
19 force its orders through civil contempt proceedings, exclu-
20 sion of violators from Indian lands, and other appropriate
21 mechanisms, in matters arising within the authority of the
22 tribe and in which at least 1 of the parties is an Indian.”.

23 (c) TECHNICAL AMENDMENT.—The table of contents
24 for title I of the Omnibus Crime Control and Safe Streets
25 Act of 1968 (42 U.S.C. 3711 et seq.) is amended in the

1 item relating to part U, by adding “AND ENFORCEMENT
2 OF PROTECTION ORDERS” at the end.

3 **SEC. 102. ROLE OF COURTS.**

4 (a) COURTS AS ELIGIBLE STOP SUBGRANTEES.—
5 Part T of title I of the Omnibus Crime Control and Safe
6 Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is
7 amended—

8 (1) in section 2001—

9 (A) in subsection (a), by striking “Indian
10 tribal governments,” and inserting “State and
11 local courts (including juvenile courts), Indian
12 tribal governments, tribal courts,”; and

13 (B) in subsection (b)—

14 (i) in paragraph (1), by inserting “,
15 judges, other court personnel,” after “law
16 enforcement officers”;

17 (ii) in paragraph (2), by inserting “,
18 judges, other court personnel,” after “law
19 enforcement officers”; and

20 (iii) in paragraph (3), by inserting “,
21 court,” after “police”; and

22 (2) in section 2002—

23 (A) in subsection (a), by inserting “State
24 and local courts (including juvenile courts),”
25 after “States,” the second place it appears;

1 (B) in subsection (c), by striking para-
 2 graph (3) and inserting the following:

3 “(3) of the amount granted—

4 “(A) not less than 25 percent shall be allo-
 5 cated to police and not less than 25 percent
 6 shall be allocated to prosecutors;

7 “(B) not less than 30 percent shall be allo-
 8 cated to victim services; and

9 “(C) not less than 5 percent shall be allo-
 10 cated for State and local courts (including juve-
 11 nile courts); and”;

12 (C) in subsection (d)(1), by inserting
 13 “court,” after “law enforcement,”.

14 (b) ELIGIBLE GRANTEEES; USE OF GRANTS FOR EDU-
 15 CATION.—Section 2101 of part U of title I of the Omnibus
 16 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
 17 3796hh) is amended—

18 (1) in subsection (a), by inserting “State and
 19 local courts (including juvenile courts), tribal
 20 courts,” after “Indian tribal governments,”;

21 (2) in subsection (b)—

22 (A) by inserting “State and local courts
 23 (including juvenile courts),” after “Indian tribal
 24 governments”;

1 (B) in paragraph (2), by striking “policies
2 and” and inserting “policies, educational pro-
3 grams, and”;

4 (C) in paragraph (3), by inserting “parole
5 and probation officers,” after “prosecutors,”;
6 and

7 (D) in paragraph (4), by inserting “parole
8 and probation officers,” after “prosecutors,”;

9 (3) in subsection (c), by inserting “State and
10 local courts (including juvenile courts),” after “In-
11 dian tribal governments”; and

12 (4) by adding at the end the following:

13 “(e) ALLOTMENT FOR INDIAN TRIBES.—Not less
14 than 5 percent of the total amount made available for
15 grants under this section for each fiscal year shall be avail-
16 able for grants to Indian tribal governments.”.

17 **SEC. 103. REAUTHORIZATION OF STOP GRANTS.**

18 (a) REAUTHORIZATION.—Section 1001(a) of title I of
19 the Omnibus Crime Control and Safe Streets Act of 1968
20 (42 U.S.C. 3793(a)) is amended by striking paragraph
21 (18) and inserting the following:

22 “(18) There is authorized to be appropriated from
23 the Violent Crime Reduction Trust Fund established
24 under section 310001 of the Violent Crime Control and
25 Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry

1 out part T \$185,000,000 for each of fiscal years 2001
 2 through 2005.”.

3 (b) GRANT PURPOSES.—Part T of title I of the Om-
 4 nibus Crime Control and Safe Streets Act of 1968 (42
 5 U.S.C. 3796gg et seq.) is amended—

6 (1) in section 2001—

7 (A) in subsection (b)—

8 (i) in paragraph (5), by striking “ra-
 9 cial, cultural, ethnic, and language minori-
 10 ties” and inserting “underserved popu-
 11 lations”;

12 (ii) in paragraph (6), by striking
 13 “and” at the end;

14 (iii) in paragraph (7), by striking the
 15 period at the end and inserting “; and”;
 16 and

17 (iv) by adding at the end the fol-
 18 lowing:

19 “(8) supporting formal and informal statewide,
 20 multidisciplinary efforts, to the extent not supported
 21 by State funds, to coordinate the response of State
 22 law enforcement agencies, prosecutors, courts, victim
 23 services agencies, and other State agencies and de-
 24 partments, to violent crimes against women, includ-

1 ing the crimes of sexual assault and domestic vio-
 2 lence.”; and

3 (B) by adding at the end the following:

4 “(c) STATE COALITION GRANTS.—

5 “(1) PURPOSE.—The Attorney General shall
 6 award grants to each State domestic violence coal-
 7 tion and sexual assault coalition for the purposes of
 8 coordinating State victim services activities, and col-
 9 laborating and coordinating with Federal, State, and
 10 local entities engaged in violence against women ac-
 11 tivities.

12 “(2) GRANTS TO STATE COALITIONS.—The At-
 13 torney General shall award grants to—

14 “(A) each State domestic violence coalition,
 15 as determined by the Secretary of Health and
 16 Human Services through the Family Violence
 17 Prevention and Services Act (42 U.S.C. 10410
 18 et seq.); and

19 “(B) each State sexual assault coalition, as
 20 determined by the Center for Injury Prevention
 21 and Control of the Centers for Disease Control
 22 and Prevention under the Public Health Service
 23 Act (42 U.S.C. 280b et seq.).

24 “(3) ELIGIBILITY FOR OTHER GRANTS.—Re-
 25 ceipt of an award under this subsection by each

1 State domestic violence and sexual assault coalition
 2 shall not preclude the coalition from receiving addi-
 3 tional grants under this part to carry out the pur-
 4 poses described in subsection (b).”;

5 (2) in section 2002(b)—

6 (A) by redesignating paragraphs (2) and
 7 (3) as paragraphs (4) and (5), respectively;

8 (B) in paragraph (1), by striking “4 per-
 9 cent” and inserting “5 percent”;

10 (C) in paragraph (4), as redesignated, by
 11 striking “\$500,000” and inserting “\$600,000”;
 12 and

13 (D) by inserting after paragraph (1) the
 14 following:

15 “(2) 2.5 percent shall be available for grants
 16 for State domestic violence coalitions under section
 17 2001(c), with the coalition for each State, the coali-
 18 tion for the District of Columbia, the coalition for
 19 the Commonwealth of Puerto Rico, and the coalition
 20 for the combined Territories of the United States,
 21 each receiving an amount equal to $\frac{1}{53}$ of the total
 22 amount made available under this paragraph for
 23 each fiscal year;

24 “(3) 2.5 percent shall be available for grants
 25 for State sexual assault coalitions under section

2001(c), with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, and the coalition for the combined Territories of the United States, each receiving an amount equal to $\frac{1}{53}$ of the total amount made available under this paragraph for each fiscal year;”;

(3) in section 2003—

(A) in paragraph (7), by striking “geographic location” and all that follows through “physical disabilities” and inserting “race, ethnicity, age, disability, religion, alienage status, language barriers, geographic location (including rural isolation), and any other populations determined to be underserved”; and

(B) in paragraph (8), by striking “assisting domestic violence or sexual assault victims through the legal process” and inserting “providing assistance for victims seeking necessary support services as a consequence of domestic violence or sexual assault”; and

(4) in section 2004(b)(3), by inserting “, and the membership of persons served in any underserved population” before the semicolon.

1 **SEC. 104. REAUTHORIZATION OF GRANTS TO ENCOURAGE**
 2 **ARREST POLICIES.**

3 Section 1001(a) of title I of the Omnibus Crime Con-
 4 trol and Safe Streets Act of 1968 (42 U.S.C. 3793(a))
 5 is amended by striking paragraph (19) and inserting the
 6 following:

7 “(19) There is authorized to be appropriated from
 8 the Violent Crime Reduction Trust Fund established
 9 under section 310001 of the Violent Crime Control and
 10 Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry
 11 out part U \$65,000,000 for each of fiscal years 2001
 12 through 2005.”.

13 **SEC. 105. REAUTHORIZATION OF RURAL DOMESTIC VIO-**
 14 **LENCE AND CHILD ABUSE ENFORCEMENT**
 15 **GRANTS.**

16 (a) REAUTHORIZATION.—Section 40295(c) of the Vi-
 17 olence Against Women Act of 1994 (42 U.S.C. 13971(c))
 18 is amended—

19 (1) by striking paragraph (1) and inserting the
 20 following:

21 “(1) IN GENERAL.—There is authorized to be
 22 appropriated from the Violent Crime Reduction
 23 Trust Fund established under section 310001 to
 24 carry out this section \$40,000,000 for each of fiscal
 25 years 2001 through 2005.”; and

26 (2) by adding at the end the following:

1 “(3) ALLOTMENT FOR INDIAN TRIBES.—Not
 2 less than 5 percent of the total amount made avail-
 3 able to carry out this section for each fiscal year
 4 shall be available for grants to Indian tribal govern-
 5 ments.”.

6 **SEC. 106. NATIONAL STALKER AND DOMESTIC VIOLENCE**
 7 **REDUCTION.**

8 (a) REAUTHORIZATION.—Section 40603 of the Vio-
 9 lence Against Women Act of 1994 (42 U.S.C. 14032) is
 10 amended to read as follows:

11 **“SEC. 40603. AUTHORIZATION OF APPROPRIATIONS.**

12 “There is authorized to be appropriated from the Vio-
 13 lent Crime Reduction Trust Fund established under sec-
 14 tion 310001 to carry out this subtitle \$3,000,000 for each
 15 of fiscal years 2001 through 2005.”.

16 (b) TECHNICAL AMENDMENT.—Section 40602(a) of
 17 the Violence Against Women Act of 1994 (42 U.S.C.
 18 14031 note) is amended by inserting “and implement”
 19 after “improve”.

20 **SEC. 107. AMENDMENTS TO DOMESTIC VIOLENCE AND**
 21 **STALKING OFFENSES.**

22 (a) INTERSTATE DOMESTIC VIOLENCE.—Section
 23 2261 of title 18, United States Code, is amended by strik-
 24 ing subsection (a) and inserting the following:

25 “(a) OFFENSES.—

1 “(1) TRAVEL OR CONDUCT OF OFFENDER.—A
 2 person who travels in interstate or foreign commerce
 3 or enters or leaves Indian country with the intent to
 4 kill, injure, harass, or intimidate a spouse or inti-
 5 mate partner, and who, in the course of or as a re-
 6 sult of such travel, commits or attempts to commit
 7 a crime of violence against that spouse or intimate
 8 partner, shall be punished as provided in subsection
 9 (b).

10 “(2) CAUSING TRAVEL OF VICTIM.—A person
 11 who causes a spouse or intimate partner to travel in
 12 interstate or foreign commerce or to enter or leave
 13 Indian country by force, coercion, duress, or fraud,
 14 and who, in the course of, as a result of, or to facili-
 15 tate such conduct or travel, commits or attempts to
 16 commit a crime of violence against that spouse or in-
 17 timate partner, shall be punished as provided in sub-
 18 section (b).”.

19 (b) INTERSTATE STALKING.—Section 2261A of title
 20 18, United States Code, is amended to read as follows:

21 **“§ 2261A. Interstate stalking**

22 “Whoever—

23 “(1) with the intent to kill, injure, harass, or
 24 intimidate another person, engages within the spe-
 25 cial maritime and territorial jurisdiction of the

1 United States in conduct that places that person in
2 reasonable fear of the death of, or serious bodily in-
3 jury (as defined in section 2266) to, that person or
4 a member of the immediate family (as defined in
5 section 115) of that person; or

6 “(2) with the intent to kill, injure, harass, or
7 intimidate another person, travels in interstate or
8 foreign commerce, or enters or leaves Indian coun-
9 try, and, in the course of or as a result of such trav-
10 el, engages in conduct that places that person in
11 reasonable fear of the death of, or serious bodily in-
12 jury (as defined in section 2266) to, that person or
13 a member of the immediate family (as defined in
14 section 115) of that person,

15 shall be punished as provided in section 2261(b).”.

16 (c) INTERSTATE VIOLATION OF PROTECTION
17 ORDER.—Section 2262 of title 18, United States Code,
18 is amended by striking subsection (a) and inserting the
19 following:

20 “(a) OFFENSES.—

21 “(1) TRAVEL OR CONDUCT OF OFFENDER.—A
22 person who travels in interstate or foreign com-
23 merce, or enters or leaves Indian country, with the
24 intent to engage in conduct that violates the portion
25 of a protection order that prohibits or provides pro-

tection against violence, threats, or harassment
 against, contact or communication with, or physical
 proximity to, another person, or that would violate
 such a portion of a protection order in the jurisdic-
 tion in which the order was issued, and subsequently
 engages in such conduct, shall be punished as pro-
 vided in subsection (b).

“(2) CAUSING TRAVEL OF VICTIM.—A person
 who causes another person to travel in interstate or
 foreign commerce or to enter or leave Indian country
 by force, coercion, duress, or fraud, and in the
 course of, as a result of, or to facilitate such conduct
 or travel engages in conduct that violates the portion
 of a protection order that prohibits or provides pro-
 tection against violence, threats, or harassment
 against, contact or communication with, or physical
 proximity to, another person, or that would violate
 such a portion of a protection order in the jurisdic-
 tion in which the order was issued, shall be punished
 as provided in subsection (b).”.

(d) DEFINITIONS.—Section 2266 of title 18, United
 States Code, is amended to read as follows:

“§ 2266. Definitions

“In this chapter:

1 “(1) BODILY INJURY.—The term ‘bodily injury’
2 means any act, except one done in self-defense, that
3 results in physical injury or sexual abuse.

4 “(2) ENTER OR LEAVE INDIAN COUNTRY.—The
5 term ‘enter or leave Indian country’ includes leaving
6 the jurisdiction of 1 tribal government and entering
7 the jurisdiction of another tribal government.

8 “(3) INDIAN COUNTRY.—The term ‘Indian
9 country’ has the meaning stated in section 1151 of
10 this title.

11 “(4) PROTECTION ORDER.—The term ‘protec-
12 tion order’ includes any injunction or other order
13 issued for the purpose of preventing violent or
14 threatening acts or harassment against, or contact
15 or communication with or physical proximity to, an-
16 other person, including any temporary or final order
17 issued by a civil and criminal court (other than a
18 support or child custody order issued pursuant to
19 State divorce and child custody laws) whether ob-
20 tained by filing an independent action or as a
21 pendente lite order in another proceeding so long as
22 any civil order was issued in response to a com-
23 plaint, petition, or motion filed by or on behalf of a
24 person seeking protection.

1 “(5) SERIOUS BODILY INJURY.—The term ‘seri-
2 ous bodily injury’ has the meaning stated in section
3 2119(2).

4 “(6) SPOUSE OR INTIMATE PARTNER.—The
5 term ‘spouse or intimate partner’ includes—

6 “(A) a spouse, a former spouse, a person
7 who shares a child in common with the abuser,
8 and a person who cohabits or has cohabited
9 with the abuser as a spouse; and

10 “(B) any other person similarly situated to
11 a spouse who is protected by the domestic or
12 family violence laws of the State or tribal juris-
13 diction in which the injury occurred or where
14 the victim resides.

15 “(7) STATE.—The term ‘State’ includes a State
16 of the United States, the District of Columbia, a
17 commonwealth, territory, or possession of the United
18 States.

19 “(8) TRAVEL IN INTERSTATE OR FOREIGN COM-
20 MERCE.—The term ‘travel in interstate or foreign
21 commerce’ does not include travel from 1 State to
22 another by an individual who is a member of an In-
23 dian tribe and who remains at all times in the terri-
24 tory of the Indian tribe of which the individual is a
25 member.”.

1 **SEC. 108. GRANTS TO REDUCE VIOLENT CRIMES AGAINST**
 2 **WOMEN ON CAMPUS.**

3 Section 826 of the Higher Education Amendments of
 4 1998 (20 U.S.C. 1152) is amended—

5 (1) in subsection (f)(1), by inserting “by a per-
 6 son with whom the victim has engaged in a social re-
 7 lationship of a romantic or intimate nature,” after
 8 “cohabited with the victim,”; and

9 (2) in subsection (g), by striking “fiscal year
 10 1999 and such sums as may be necessary for each
 11 of the 4 succeeding fiscal years” and inserting “each
 12 of fiscal years 2001 through 2005”.

13 **TITLE II—STRENGTHENING**
 14 **SERVICES TO VICTIMS OF VI-**
 15 **OLENCE**

16 **SEC. 201. LEGAL ASSISTANCE FOR VICTIMS.**

17 (a) IN GENERAL.—The purpose of this section is to
 18 enable the Attorney General to award grants to increase
 19 the availability of legal assistance necessary to provide ef-
 20 fective aid to victims of domestic violence, stalking, or sex-
 21 ual assault who are seeking relief in legal matters arising
 22 as a consequence of that abuse or violence, at minimal
 23 or no cost to the victims.

24 (b) DEFINITIONS.—In this section:

25 (1) DOMESTIC VIOLENCE.—The term “domestic
 26 violence” has the meaning given the term in section

1 2003 of title I of the Omnibus Crime Control and
2 Safe Streets Act of 1968 (42 U.S.C. 3796gg-2).

3 (2) LEGAL ASSISTANCE FOR VICTIMS.—The
4 term “legal assistance” includes assistance to vic-
5 tims of domestic violence, stalking, and sexual as-
6 sault in family, criminal, immigration, administra-
7 tive, or housing matters, protection or stay away
8 order proceedings, and other similar matters. No
9 funds made available under this section may be used
10 to provide financial assistance in support of any liti-
11 gation described in paragraph (14) of section 504 of
12 Public Law 104–134.

13 (3) SEXUAL ASSAULT.—The term “sexual as-
14 sault” has the meaning given the term in section
15 2003 of title I of the Omnibus Crime Control and
16 Safe Streets Act of 1968 (42 U.S.C. 3796gg-2).

17 (c) LEGAL ASSISTANCE FOR VICTIMS GRANTS.—The
18 Attorney General may award grants under this subsection
19 to private nonprofit entities, Indian tribal governments,
20 and publicly funded organizations not acting in a govern-
21 mental capacity such as law schools, and which shall be
22 used—

23 (1) to implement, expand, and establish cooper-
24 ative efforts and projects between domestic violence
25 and sexual assault victim services organizations and

1 legal assistance providers to provide legal assistance
2 for victims of domestic violence, stalking, and sexual
3 assault;

4 (2) to implement, expand, and establish efforts
5 and projects to provide legal assistance for victims
6 of domestic violence, stalking, and sexual assault by
7 organizations with a demonstrated history of pro-
8 viding direct legal or advocacy services on behalf of
9 these victims; and

10 (3) to provide training, technical assistance,
11 and data collection to improve the capacity of grant-
12 ees and other entities to offer legal assistance to vic-
13 tims of domestic violence, stalking, and sexual as-
14 sault.

15 (d) GRANT TO ESTABLISH DATABASE OF PROGRAMS
16 THAT PROVIDE LEGAL ASSISTANCE TO VICTIMS.—

17 (1) IN GENERAL.—The Attorney General may
18 make a grant to establish, operate, and maintain a
19 national computer database of programs and organi-
20 zations that provide legal assistance to victims of do-
21 mestic violence, stalking, and sexual assault.

22 (2) DATABASE REQUIREMENTS.—A database
23 established with a grant under this subsection shall
24 be—

1 (A) designed to facilitate the referral of
2 persons to programs and organizations that
3 provide legal assistance to victims of domestic
4 violence, stalking, and sexual assault; and

5 (B) operated in coordination with—

6 (i) the national domestic violence hot-
7 line established under section 316 of the
8 Family Violence Prevention and Services
9 Act; and

10 (ii) any comparable national sexual
11 assault hotline or other similar resource.

12 (e) EVALUATION.—The Attorney General may evalu-
13 ate the grants funded under this section through contracts
14 or other arrangements with entities expert on domestic vi-
15 olence, stalking, and sexual assault, and on evaluation re-
16 search.

17 (f) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) IN GENERAL.—There is authorized to be
19 appropriated from the Violent Crime Reduction
20 Trust Fund established under section 310001 of the
21 Violent Crime Control and Law Enforcement Act of
22 1994 (42 U.S.C. 14211) to carry out this section
23 \$35,000,000 for each of fiscal years 2001 through
24 2005.

1 (2) ALLOCATION OF FUNDS.—Of the amount
 2 made available under this subsection in each fiscal
 3 year, not less than 5 percent shall be used for grants
 4 for programs that assist victims of domestic violence,
 5 stalking, and sexual assault on lands within the ju-
 6 risdiction of an Indian tribe.

7 (3) NONSUPPLANTATION.—Amounts made
 8 available under this section shall be used to supple-
 9 ment and not supplant other Federal, State, and
 10 local funds expended to further the purpose of this
 11 section.

12 **SEC. 202. SHELTER SERVICES FOR BATTERED WOMEN AND**
 13 **CHILDREN.**

14 (a) STATE SHELTER GRANTS.—Section 303(a)(2)(C)
 15 of the Family Violence Prevention and Services Act (42
 16 U.S.C. 10402(a)(2)(C)) is amended by striking “popu-
 17 lations underserved because of ethnic, racial, cultural, lan-
 18 guage diversity or geographic isolation” and inserting
 19 “populations underserved because of race, ethnicity, age,
 20 disability, religion, alienage status, geographic location
 21 (including rural isolation), or language barriers, and any
 22 other populations determined by the Secretary to be un-
 23 derserved”.

1 (b) STATE MINIMUM; REALLOTMENT.—Section 304
 2 of the Family Violence Prevention and Services Act (42
 3 U.S.C. 10403) is amended—

4 (1) in subsection (a), by striking “for grants to
 5 States for any fiscal year” and all that follows and
 6 inserting the following: “and available for grants to
 7 States under this subsection for any fiscal year—

8 “(1) Guam, American Samoa, the United
 9 States Virgin Islands, the Commonwealth of the
 10 Northern Mariana Islands, and the combined Freely
 11 Associated States shall each be allotted not less than
 12 $\frac{1}{8}$ of 1 percent of the amounts available for grants
 13 under section 303(a) for the fiscal year for which
 14 the allotment is made; and

15 “(2) each State shall be allotted for payment in
 16 a grant authorized under section 303(a), \$600,000,
 17 with the remaining funds to be allotted to each State
 18 in an amount that bears the same ratio to such re-
 19 maining funds as the population of such State bears
 20 to the population of all States.”;

21 (2) in subsection (c), in the first sentence, by
 22 inserting “and available” before “for grants”; and

23 (3) by adding at the end the following:

24 “(e) In subsection (a)(2), the term “State” does not
 25 include any jurisdiction specified in subsection (a)(1).”.

1 (c) SECRETARIAL RESPONSIBILITIES.—Section
2 305(a) of the Family Violence Prevention and Services Act
3 (42 U.S.C. 10404(a)) is amended—

4 (1) by striking “an employee” and inserting “1
5 or more employees”;

6 (2) by striking “of this title.” and inserting “of
7 this title, including carrying out evaluation and mon-
8 itoring under this title.”; and

9 (3) by striking “The individual” and inserting
10 “Any individual”.

11 (d) RESOURCE CENTERS.—Section 308 of the Fam-
12 ily Violence Prevention and Services Act (42 U.S.C.
13 10407) is amended—

14 (1) in subsection (a)(2), by inserting “on pro-
15 viding information, training, and technical assist-
16 ance” after “focusing”; and

17 (2) in subsection (c), by adding at the end the
18 following:

19 “(8) Providing technical assistance and training
20 to local entities carrying out domestic violence pro-
21 grams that provide shelter, related assistance, or
22 transitional housing assistance.

23 “(9) Improving access to services, information,
24 and training, concerning family violence, within In-
25 dian tribes and Indian tribal agencies.

1 “(10) Providing technical assistance and train-
 2 ing to appropriate entities to improve access to serv-
 3 ices, information, and training concerning family vio-
 4 lence occurring in underserved populations.”.

5 (e) CONFORMING AMENDMENT.—Section 309(6) of
 6 the Family Violence Prevention and Services Act (42
 7 U.S.C. 10408(6)) is amended by striking “the Virgin Is-
 8 lands, the Northern Mariana Islands, and the Trust Terri-
 9 tory of the Pacific Islands” and inserting “the United
 10 States Virgin Islands, the Commonwealth of the Northern
 11 Mariana Islands, and the combined Freely Associated
 12 States”.

13 (f) REAUTHORIZATION.—Section 310 of the Family
 14 Violence Prevention and Services Act (42 U.S.C. 10409)
 15 is amended—

16 (1) by striking subsection (a) and inserting the
 17 following:

18 “(a) IN GENERAL.—

19 “(1) AUTHORIZATION OF APPROPRIATIONS.—

20 There are authorized to be appropriated to carry out
 21 this title \$175,000,000 for each of fiscal years 2001
 22 through 2005.

23 “(2) SOURCE OF FUNDS.—Amounts made avail-
 24 able under paragraph (1) may be appropriated from
 25 the Violent Crime Reduction Trust Fund established

1 under section 310001 of the Violent Crime Control
 2 and Law Enforcement Act of 1994 (42 U.S.C.
 3 14211).”;

4 (2) in subsection (b), by striking “under sub-
 5 section 303(a)” and inserting “under section
 6 303(a)”;

7 (3) in subsection (c), by inserting “not more
 8 than the lesser of \$7,500,000 or” before “5”; and

9 (4) by adding at the end the following:

10 “(f) EVALUATION, MONITORING, AND ADMINISTRA-
 11 TION.—Of the amounts appropriated under subsection (a)
 12 for each fiscal year, not more than 1 percent shall be used
 13 by the Secretary for evaluation, monitoring, and adminis-
 14 trative costs under this title.”.

15 (g) STATE DOMESTIC VIOLENCE COALITION GRANT
 16 ACTIVITIES.—Section 311 of the Family Violence Preven-
 17 tion and Services Act (42 U.S.C. 10410) is amended—

18 (1) in subsection (a)(4), by striking “under-
 19 served racial, ethnic or language-minority popu-
 20 lations” and inserting “underserved populations de-
 21 scribed in section 303(a)(2)(C)”;

22 (2) in subsection (c), by striking “the U.S. Vir-
 23 gin Islands, the Northern Mariana Islands, and the
 24 Trust Territory of the Pacific Islands” and inserting
 25 “the United States Virgin Islands, the Common-

1 wealth of the Northern Mariana Islands, and the
2 Freely Associated States”.

3 **SEC. 203. TRANSITIONAL HOUSING ASSISTANCE FOR VIC-**
4 **TIMS OF DOMESTIC VIOLENCE.**

5 Title III of the Family Violence Prevention and Serv-
6 ices Act (42 U.S.C. 10401 et seq.) is amended by adding
7 at the end the following new section:

8 **“SEC. 319. TRANSITIONAL HOUSING ASSISTANCE.**

9 “(a) IN GENERAL.—The Secretary shall award
10 grants under this section to carry out programs to provide
11 assistance to individuals, and their dependents—

12 “(1) who are homeless or in need of transitional
13 housing or other housing assistance, as a result of
14 fleeing a situation of domestic violence; and

15 “(2) for whom emergency shelter services are
16 unavailable or insufficient.

17 “(b) ASSISTANCE DESCRIBED.—Assistance provided
18 under this section may include—

19 “(1) short-term housing assistance, including
20 rental or utilities payments assistance and assistance
21 with related expenses, such as payment of security
22 deposits and other costs incidental to relocation to
23 transitional housing, in cases in which assistance de-
24 scribed in this paragraph is necessary to prevent

1 homelessness because an individual or dependent is
 2 fleeing a situation of domestic violence; and

3 “(2) short-term support services, including pay-
 4 ment of expenses and costs associated with transpor-
 5 tation and job training referrals, child care, coun-
 6 seling, transitional housing identification and place-
 7 ment, and related services.

8 “(c) TERM OF ASSISTANCE.—An individual or de-
 9 pendent assisted under this section may not receive assist-
 10 ance under this section for a total of more than 12
 11 months.

12 “(d) REPORTS.—

13 “(1) REPORT TO SECRETARY.—

14 “(A) IN GENERAL.—An entity that re-
 15 ceives a grant under this section shall annually
 16 prepare and submit to the Secretary a report
 17 describing the number of individuals and de-
 18 pendants assisted, and the types of housing as-
 19 sistance and support services provided, under
 20 this section.

21 “(B) CONTENTS.—Each report shall in-
 22 clude information on—

23 “(i) the purpose and amount of hous-
 24 ing assistance provided to each individual
 25 or dependent assisted under this section;

1 “(ii) the number of months each indi-
2 vidual or dependent received the assist-
3 ance;

4 “(iii) the number of individuals and
5 dependents who were eligible to receive the
6 assistance, and to whom the entity could
7 not provide the assistance solely due to a
8 lack of available housing; and

9 “(iv) the type of support services pro-
10 vided to each individual or dependent as-
11 sisted under this section.

12 “(2) REPORT TO CONGRESS.—The Secretary
13 shall annually prepare and submit to the Committee
14 on the Judiciary of the House of Representatives
15 and the Committee on the Judiciary of the Senate
16 a report that contains a compilation of the informa-
17 tion contained in reports submitted under paragraph
18 (1).

19 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated from the Violent Crime
21 Reduction Trust Fund established under section 310001
22 of the Violent Crime Control and Law Enforcement Act
23 of 1994 (42 U.S.C. 14211) to carry out this section—

24 “(1) \$25,000,000 for each of fiscal years 2001
25 through 2003; and

1 “(2) \$30,000,000 for each of fiscal years 2004
2 and 2005.”.

3 **SEC. 204. NATIONAL DOMESTIC VIOLENCE HOTLINE.**

4 (a) REAUTHORIZATION.—Section 316(f) of the Fam-
5 ily Violence Prevention and Services Act (42 U.S.C.
6 10416(f)) is amended by striking paragraph (1) and in-
7 serting the following:

8 “(1) IN GENERAL.—There are authorized to be
9 appropriated from the Violent Crime Reduction
10 Trust Fund established under section 310001 of the
11 Violent Crime Control and Law Enforcement Act of
12 1994 (42 U.S.C. 14211) to carry out this section
13 \$2,000,000 for each of fiscal years 2001 through
14 2005.”.

15 (b) REPORT REQUIREMENT.—Section 316 of the
16 Family Violence Prevention and Services Act (42 U.S.C.
17 10416) is amended—

18 (1) by redesignating subsection (f) as sub-
19 section (g); and

20 (2) by inserting after subsection (e) the fol-
21 lowing:

22 “(f) REPORT BY GRANT RECIPIENT.—

23 “(1) IN GENERAL.—Not later than 180 days
24 after the date of enactment of the Violence Against
25 Women Act of 2000, each recipient of a grant under

1 this section shall prepare and submit to the Sec-
2 retary a report that contains—

3 “(A) an evaluation of the effectiveness of
4 the activities carried out by the recipient with
5 amounts received under this section; and

6 “(B) such other information as the Sec-
7 retary may prescribe.

8 “(2) NOTICE AND PUBLIC COMMENT.—The
9 Secretary shall—

10 “(A) publish in the Federal Register a
11 copy of the report submitted by the recipient
12 under this subsection; and

13 “(B) allow not less than 90 days for notice
14 of and opportunity for public comment on the
15 published report.”.

16 **SEC. 205. FEDERAL VICTIMS COUNSELORS.**

17 Section 40114 of the Violent Crime Control and Law
18 Enforcement Act of 1994 (Public Law 103–322; 108 Stat.
19 1910) is amended by striking “(such as District of Colum-
20 bia)—” and all that follows and inserting “(such as Dis-
21 trict of Columbia), \$1,000,000 for each of fiscal years
22 2001 through 2005.”.

1 **SEC. 206. STUDY OF STATE LAWS REGARDING INSURANCE**
2 **DISCRIMINATION AGAINST VICTIMS OF VIO-**
3 **LENCE AGAINST WOMEN.**

4 (a) IN GENERAL.—The Attorney General shall con-
5 duct a national study to identify State laws that address
6 discrimination against victims of domestic violence and
7 sexual assault related to issuance or administration of in-
8 surance policies.

9 (b) REPORT.—Not later than 1 year after the date
10 of enactment of this Act, the Attorney General shall sub-
11 mit to Congress a report on the findings and recommenda-
12 tions of the study required by subsection (a).

13 **SEC. 207. STUDY OF WORKPLACE EFFECTS FROM VIO-**
14 **LENCE AGAINST WOMEN.**

15 The Attorney General shall—

16 (1) conduct a national survey of plans, pro-
17 grams, and practices developed to assist employers
18 and employees on appropriate responses in the work-
19 place related to victims of domestic violence, stalk-
20 ing, or sexual assault; and

21 (2) not later than 18 months after the date of
22 enactment of this Act, submit to Congress a report
23 describing the results of that survey, which report
24 shall include the recommendations of the Attorney
25 General to assist employers and employees affected

1 in the workplace by incidents of domestic violence,
2 stalking, and sexual assault.

3 **SEC. 208. STUDY OF UNEMPLOYMENT COMPENSATION FOR**
4 **VICTIMS OF VIOLENCE AGAINST WOMEN.**

5 The Secretary of Labor, in consultation with the At-
6 torney General, shall—

7 (1) conduct a national study to identify State
8 laws that address the separation from employment
9 of an employee due to circumstances directly result-
10 ing from the experience of domestic violence by the
11 employee and circumstances governing that receipt
12 (or nonreceipt) by the employee of unemployment
13 compensation based on such separation; and

14 (2) not later than 1 year after the date of en-
15 actment of this Act, submit to Congress a report de-
16 scribing the results of that study, together with any
17 recommendations based on that study.

18 **SEC. 209. ENHANCING PROTECTIONS FOR OLDER WOMEN**
19 **FROM DOMESTIC VIOLENCE AND SEXUAL AS-**
20 **SAULT.**

21 (a) DEFINITION.—In this section, the term “older in-
22 dividual” has the meaning given the term in section 102
23 of the Older Americans Act of 1965 (42 U.S.C. 3002).

24 (b) PROTECTIONS FOR OLDER INDIVIDUALS FROM
25 DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN PRO-AR-

1 REST GRANTS.—Section 2101(b) of part U of title I of
 2 the Omnibus Crime Control and Safe Streets Act of 1968
 3 (42 U.S.C. 3796hh et seq.) is amended by adding at the
 4 end the following:

5 “(8) To develop or strengthen policies and
 6 training for police, prosecutors, and the judiciary in
 7 recognizing, investigating, and prosecuting instances
 8 of domestic violence and sexual assault against older
 9 individuals (as is defined in section 102 of the Older
 10 Americans Act of 1965) (42 U.S.C. 3002)).”.

11 (c) PROTECTIONS FOR OLDER INDIVIDUALS FROM
 12 DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN STOP
 13 GRANTS.—Part T of title I of the Omnibus Crime Control
 14 and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.)
 15 is amended—

16 (1) in section 2001(b)—

17 (A) in paragraph (7) (as amended by sec-
 18 tion 103(b) of this Act), by striking “and” at
 19 the end;

20 (B) in paragraph (8) (as added by section
 21 103(b) of this Act), by striking the period at
 22 the end and inserting “; and”; and

23 (C) by adding at the end the following:

24 “(9) developing, enlarging, or strengthening
 25 programs to assist law enforcement, prosecutors,

1 courts, and others to address the needs and cir-
 2 cumstances of older women who are victims of do-
 3 mestic violence or sexual assault, including recog-
 4 nizing, investigating, and prosecuting instances of
 5 such violence or assault and targeting outreach and
 6 support and counseling services to such older indi-
 7 viduals.”; and

8 (2) in section 2003(7) (as amended by section
 9 103(b) of this Act), by inserting after “any other
 10 populations determined to be underserved” the fol-
 11 lowing: “, and the needs of older individuals (as de-
 12 fined in section 102 of the Older Americans Act of
 13 1965 (42 U.S.C. 3002)) who are victims of family
 14 violence”.

15 (d) ENHANCING SERVICES FOR OLDER INDIVIDUALS
 16 IN SHELTERS.—Section 303(a)(2)(C) of the Family Vio-
 17 lence Prevention and Services Act (42 U.S.C.
 18 10402(a)(2)(C)) (as amended by section 202(a)(1) of this
 19 Act) is amended by inserting after “any other populations
 20 determined by the Secretary to be underserved” the fol-
 21 lowing: “, and the needs of older individuals (as defined
 22 in section 102 of the Older Americans Act of 1965 (42
 23 U.S.C. 3002)) who are victims of family violence”.

1 **TITLE III—LIMITING THE EF-**
2 **FECTS OF VIOLENCE ON**
3 **CHILDREN**

4 **SEC. 301. SAFE HAVENS FOR CHILDREN PILOT PROGRAM.**

5 (a) IN GENERAL.—The Attorney General may award
6 grants to States, units of local government, and Indian
7 tribal governments that propose to enter into or expand
8 the scope of existing contracts and cooperative agreements
9 with public or private nonprofit entities to provide super-
10 vised visitation and safe visitation exchange of children by
11 and between parents in situations involving domestic vio-
12 lence, child abuse, or sexual assault.

13 (b) CONSIDERATIONS.—In awarding grants under
14 subsection (a), the Attorney General shall take into
15 account—

16 (1) the number of families to be served by the
17 proposed visitation programs and services;

18 (2) the extent to which the proposed supervised
19 visitation programs and services serve underserved
20 populations (as defined in section 2003 of title I of
21 the Omnibus Crime Control and Safe Streets Act of
22 1968 (42 U.S.C. 3796gg–2));

23 (3) with respect to an applicant for a contract
24 or cooperative agreement, the extent to which the
25 applicant demonstrates cooperation and collabora-

1 tion with nonprofit, nongovernmental entities in the
2 local community served, including the State domestic
3 violence coalition, State sexual assault coalition, local
4 shelters, and programs for domestic violence and
5 sexual assault victims; and

6 (4) the extent to which the applicant dem-
7 onstrates coordination and collaboration with State
8 and local court systems, including mechanisms for
9 communication and referral.

10 (c) APPLICANT REQUIREMENTS.—The Attorney Gen-
11 eral shall award grants for contracts and cooperative
12 agreements to applicants that—

13 (1) demonstrate expertise in the area of family
14 violence, including the areas of domestic violence or
15 sexual assault, as appropriate;

16 (2) ensure that any fees charged to individuals
17 for use of programs and services are based on the
18 income of those individuals, unless otherwise pro-
19 vided by court order;

20 (3) demonstrate that adequate security meas-
21 ures, including adequate facilities, procedures, and
22 personnel capable of preventing violence, are in place
23 for the operation of supervised visitation programs
24 and services or safe visitation exchange; and

1 (4) prescribe standards by which the supervised
2 visitation or safe visitation exchange will occur.

3 (d) REPORTING.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the last day of the first fiscal year commencing on
6 or after the date of enactment of this Act, and not
7 later than 180 days after the last day of each fiscal
8 year thereafter, the Attorney General shall submit to
9 Congress a report that includes information
10 concerning—

11 (A) the number of—

12 (i) individuals served and the number
13 of individuals turned away from visitation
14 programs and services and safe visitation
15 exchange (categorized by State);

16 (ii) the number of individuals from
17 underserved populations served and turned
18 away from services; and

19 (iii) the type of problems that underlie
20 the need for supervised visitation or safe
21 visitation exchange, such as domestic vio-
22 lence, child abuse, sexual assault, other
23 physical abuse, or a combination of such
24 factors;

1 (B) the numbers of supervised visitations
2 or safe visitation exchanges ordered under this
3 section during custody determinations under a
4 separation or divorce decree or protection order,
5 through child protection services or other social
6 services agencies, or by any other order of a
7 civil, criminal, juvenile, or family court;

8 (C) the process by which children or
9 abused partners are protected during visita-
10 tions, temporary custody transfers, and other
11 activities for which supervised visitation is es-
12 tablished under this section;

13 (D) safety and security problems occurring
14 during the reporting period during supervised
15 visitation under this section, including the num-
16 ber of parental abduction cases; and

17 (E) the number of parental abduction
18 cases in a judicial district using supervised visi-
19 tation programs and services under this section,
20 both as identified in criminal prosecution and
21 custody violations.

22 (2) GUIDELINES.—The Attorney General shall
23 establish guidelines for the collection and reporting
24 of data under this subsection.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
 2 authorized to be appropriated from the Violent Crime Re-
 3 duction Trust Fund established under section 310001 of
 4 the Violent Crime Control and Law Enforcement Act of
 5 1994 (42 U.S.C. 14211) to carry out this section
 6 \$15,000,000 for each of fiscal years 2001 and 2002.

7 (f) ALLOTMENT FOR INDIAN TRIBES.—Not less than
 8 5 percent of the total amount made available for each fis-
 9 cal year to carry out this section shall be available for
 10 grants to Indian tribal governments.

11 **SEC. 302. REAUTHORIZATION OF RUNAWAY AND HOMELESS**
 12 **YOUTH GRANTS.**

13 Section 388(a) of the Runaway and Homeless Youth
 14 Act (42 U.S.C. 5751(a)) is amended by striking para-
 15 graph (4) and inserting the following:

16 “(4) PART E.—There is authorized to be appro-
 17 priated from the Violent Crime Reduction Trust
 18 Fund established under section 310001 of the Vio-
 19 lent Crime Control and Law Enforcement Act of
 20 1994 (42 U.S.C. 14211) to carry out part E
 21 \$22,000,000 for each of fiscal years 2001 through
 22 2005.”.

1 **SEC. 303. REAUTHORIZATION OF VICTIMS OF CHILD ABUSE**
2 **PROGRAMS.**

3 (a) COURT-APPOINTED SPECIAL ADVOCATE PRO-
4 GRAM.—Section 218 of the Victims of Child Abuse Act
5 of 1990 (42 U.S.C. 13014) is amended by striking sub-
6 section (a) and inserting the following:

7 “(a) AUTHORIZATION.—There is authorized to be ap-
8 propriated from the Violent Crime Reduction Trust Fund
9 established under section 310001 of the Violent Crime
10 Control and Law Enforcement Act of 1994 (42 U.S.C.
11 14211) to carry out this subtitle \$12,000,000 for each of
12 fiscal years 2001 through 2005.”.

13 (b) CHILD ABUSE TRAINING PROGRAMS FOR JUDI-
14 CIAL PERSONNEL AND PRACTITIONERS.—Section 224 of
15 the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024)
16 is amended by striking subsection (a) and inserting the
17 following:

18 “(a) AUTHORIZATION.—There is authorized to be ap-
19 propriated from the Violent Crime Reduction Trust Fund
20 established under section 310001 of the Violent Crime
21 Control and Law Enforcement Act of 1994 (42 U.S.C.
22 14211) to carry out this subtitle \$2,300,000 for each of
23 fiscal years 2001 through 2005.”.

24 (c) GRANTS FOR TELEVISED TESTIMONY.—Section
25 1001(a) of title I of the Omnibus Crime Control and Safe

1 Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by
2 striking paragraph (7) and inserting the following:

3 “(7) There is authorized to be appropriated from the
4 Violent Crime Reduction Trust Fund established under
5 section 310001 of the Violent Crime Control and Law En-
6 forcement Act of 1994 (42 U.S.C. 14211) to carry out
7 part N \$1,000,000 for each of fiscal years 2001 through
8 2005.”.

9 (d) DISSEMINATION OF INFORMATION.—The Attor-
10 ney General shall—

11 (1) annually compile and disseminate informa-
12 tion (including through electronic publication) about
13 the use of amounts expended and the projects fund-
14 ed under section 218(a) of the Victims of Child
15 Abuse Act of 1990 (42 U.S.C. 13014(a)), section
16 224(a) of the Victims of Child Abuse Act of 1990
17 (42 U.S.C. 13024(a)), and section 1007(a)(7) of
18 title I of the Omnibus Crime Control and Safe
19 Streets Act of 1968 (42 U.S.C. 3793(a)(7)), includ-
20 ing any evaluations of the projects and information
21 to enable replication and adoption of the strategies
22 identified in the projects; and

23 (2) focus dissemination of the information de-
24 scribed in paragraph (1) toward community-based

1 programs, including domestic violence and sexual as-
2 sault programs.

3 **SEC. 304. REPORT ON EFFECTS OF PARENTAL KIDNAPPING**
4 **LAWS IN DOMESTIC VIOLENCE CASES.**

5 (a) IN GENERAL.—The Attorney General shall—

6 (1) conduct a study of Federal and State laws
7 relating to child custody, including custody provi-
8 sions in protection orders, the Parental Kidnaping
9 Prevention Act of 1980, and the amendments made
10 by that Act, and the effect of those laws on child
11 custody cases in which domestic violence is a factor;
12 and

13 (2) submit to Congress a report describing the
14 results of that study, including the effects of imple-
15 menting or applying model State laws, and the rec-
16 ommendations of the Attorney General to reduce the
17 incidence or pattern of violence against women or of
18 sexual assault of the child.

19 (b) SUFFICIENCY OF DEFENSES.—In carrying out
20 subsection (a) with respect to the Parental Kidnaping Pre-
21 vention Act of 1980, and the amendments made by that
22 Act, the Attorney General shall examine the sufficiency
23 of defenses to parental abduction charges available in
24 cases involving domestic violence, and the burdens and
25 risks encountered by victims of domestic violence arising

1 from jurisdictional requirements of that Act and the
2 amendments made by that Act.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$200,000 for fiscal year 2001.

6 (d) CONDITION FOR CUSTODY DETERMINATION.—
7 Section 1738A(c)(2)(C)(ii) of title 28, United States Code,
8 is amended by striking “he” and inserting “the child, a
9 sibling, or parent of the child”.

10 **TITLE IV—STRENGTHENING**
11 **EDUCATION AND TRAINING**
12 **TO COMBAT VIOLENCE**
13 **AGAINST WOMEN**

14 **SEC. 401. EDUCATION AND TRAINING IN APPROPRIATE RE-**
15 **SPONSES TO VIOLENCE AGAINST WOMEN.**

16 (a) AUTHORITY.—The Secretary of Health and
17 Human Services, in consultation with the Attorney Gen-
18 eral, may award grants in accordance with this section to
19 public and private nonprofit entities that, in the deter-
20 mination of the Secretary, have—

- 21 (1) nationally recognized expertise in the areas
- 22 of domestic violence and sexual assault; and
- 23 (2) a record of commitment and quality re-
- 24 sponses to reduce domestic violence and sexual as-
- 25 sault.

1 (b) PURPOSE.—Grants under this section may be
2 used for the purposes of developing, testing, presenting,
3 and disseminating model programs to provide education
4 and training in appropriate and effective responses to vic-
5 tims of domestic violence and sexual assault (including,
6 as appropriate, the effects of domestic violence on chil-
7 dren) for individuals (other than law enforcement officers
8 and prosecutors) who are likely to come into contact with
9 such victims during the course of their employment,
10 including—

11 (1) caseworkers, supervisors, administrators,
12 administrative law judges, and other individuals ad-
13 ministering Federal and State benefits programs,
14 such as child welfare and child protective services,
15 Temporary Assistance to Needy Families, social se-
16 curity disability, child support, medicaid, unemploy-
17 ment, workers' compensation, and similar programs;
18 and

19 (2) medical and health care professionals, in-
20 cluding mental and behavioral health professionals
21 such as psychologists, psychiatrists, social workers,
22 therapists, counselors, and others.

23 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated from the Violent Crime Re-
25 duction Trust Fund established under section 310001 of

1 the Violent Crime Control and Law Enforcement Act of
 2 1994 (42 U.S.C. 14211) to carry out this section
 3 \$5,000,000 for each of fiscal years 2001 through 2003.

4 **SEC. 402. RAPE PREVENTION AND EDUCATION.**

5 (a) IN GENERAL.—Part J of title III of the Public
 6 Health Service Act (42 U.S.C. 280b et seq.) is amended
 7 by inserting after section 393A the following:

8 **“SEC. 393B. USE OF ALLOTMENTS FOR RAPE PREVENTION**
 9 **EDUCATION.**

10 “(a) PERMITTED USE.—The Secretary, acting
 11 through the National Center for Injury Prevention and
 12 Control at the Centers for Disease Control and Preven-
 13 tion, shall award targeted grants to States to be used for
 14 rape prevention and education programs conducted by
 15 rape crisis centers, State sexual assault coalitions, and
 16 other public and private nonprofit entities for—

17 “(1) educational seminars;

18 “(2) the operation of hotlines;

19 “(3) training programs for professionals;

20 “(4) the preparation of informational material;

21 “(5) education and training programs for stu-
 22 dents and campus personnel designed to reduce the
 23 incidence of sexual assault at colleges and univer-
 24 sities;

1 “(6) education to increase awareness about
2 drugs used to facilitate rapes or sexual assaults; and

3 “(7) other efforts to increase awareness of the
4 facts about, or to help prevent, sexual assault, in-
5 cluding efforts to increase awareness in underserved
6 communities and awareness among individuals with
7 disabilities (as defined in section 3 of the Americans
8 with Disabilities Act of 1990 (42 U.S.C. 12102)).

9 “(b) COLLECTION AND DISSEMINATION OF INFORMA-
10 TION ON SEXUAL ASSAULT.—The Secretary shall,
11 through the National Resource Center on Sexual Assault
12 established under the National Center for Injury Preven-
13 tion and Control at the Centers for Disease Control and
14 Prevention, provide resource information, policy, training,
15 and technical assistance to Federal, State, local, and In-
16 dian tribal agencies, as well as to State sexual assault coa-
17 litions and local sexual assault programs and to other pro-
18 fessionals and interested parties on issues relating to sex-
19 ual assault, including maintenance of a central resource
20 library in order to collect, prepare, analyze, and dissemi-
21 nate information and statistics and analyses thereof relat-
22 ing to the incidence and prevention of sexual assault.

23 “(c) AUTHORIZATION OF APPROPRIATIONS.—

24 “(1) IN GENERAL.—There is authorized to be
25 appropriated from the Violent Crime Reduction

1 Trust Fund established under section 310001 of the
 2 Violent Crime Control and Law Enforcement Act of
 3 1994 (42 U.S.C. 14211) to carry out this section,
 4 \$50,000,000 for each of fiscal years 2001 through
 5 2005.

6 “(2) NATIONAL RESOURCE CENTER ALLOT-
 7 MENT.—Of the total amount made available under
 8 this subsection in each fiscal year, not more than the
 9 greater of \$1,000,000 or 2 percent of such amount
 10 shall be available for allotment under subsection (b).

11 “(d) LIMITATIONS.—

12 “(1) SUPPLEMENT NOT SUPPLANT.—Amounts
 13 provided to States under this section shall be used
 14 to supplement and not supplant other Federal,
 15 State, and local public funds expended to provide
 16 services of the type described in subsection (a).

17 “(2) STUDIES.—A State may not use more
 18 than 2 percent of the amount received by the State
 19 under this section for each fiscal year for surveil-
 20 lance studies or prevalence studies.

21 “(3) ADMINISTRATION.—A State may not use
 22 more than 5 percent of the amount received by the
 23 State under this section for each fiscal year for ad-
 24 ministrative expenses.”.

1 (b) REPEAL.—Section 40151 of the Violence Against
 2 Women Act of 1994 (108 Stat. 1920), and the amendment
 3 made by such section, is repealed.

4 **SEC. 403. EDUCATION AND TRAINING TO END VIOLENCE**
 5 **AGAINST AND ABUSE OF WOMEN WITH DIS-**
 6 **ABILITIES.**

7 (a) IN GENERAL.—The Attorney General, in con-
 8 sultation with the Secretary of Health and Human Serv-
 9 ices, may award grants to States and nongovernmental
 10 private entities to provide education and technical assist-
 11 ance for the purpose of providing training, consultation,
 12 and information on domestic violence, stalking, and sexual
 13 assault against women who are individuals with disabilities
 14 (as defined in section 3 of the Americans with Disabilities
 15 Act of 1990 (42 U.S.C. 12102)).

16 (b) PRIORITIES.—In awarding grants under this sec-
 17 tion, the Attorney General shall give priority to applica-
 18 tions designed to provide education and technical assist-
 19 ance on—

20 (1) the nature, definition, and characteristics of
 21 domestic violence, stalking, and sexual assault experi-
 22 enced by women who are individuals with disabili-
 23 ties;

24 (2) outreach activities to ensure that women
 25 who are individuals with disabilities who are victims

1 of domestic violence, stalking, and sexual assault re-
2 ceive appropriate assistance;

3 (3) the requirements of shelters and victim
4 services organizations under Federal anti-discrimina-
5 tion laws, including the Americans with Disabilities
6 Act of 1990 and section 504 of the Rehabilitation
7 Act of 1973; and

8 (4) cost-effective ways that shelters and victim
9 services may accommodate the needs of individuals
10 with disabilities in accordance with the Americans
11 with Disabilities Act of 1990.

12 (c) USES OF GRANTS.—Each recipient of a grant
13 under this section shall provide information and training
14 to organizations and programs that provide services to in-
15 dividuals with disabilities, including independent living
16 centers, disability-related service organizations, and do-
17 mestic violence programs providing shelter or related as-
18 sistance.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated from the Violent Crime Re-
21 duction Trust Fund established under section 310001 of
22 the Violent Crime Control and Law Enforcement Act of
23 1994 (42 U.S.C. 14211) to carry out this section
24 \$5,000,000 for each of fiscal years 2001 through 2005.

1 **SEC. 404. COMMUNITY INITIATIVES.**

2 Section 318 of the Family Violence Prevention and
3 Services Act (42 U.S.C. 10418) is amended—

4 (1) in subsection (b)(2)—

5 (A) in subparagraph (G), by striking
6 “and” at the end;

7 (B) by redesignating subparagraph (H) as
8 subparagraph (I); and

9 (C) by inserting after subparagraph (G)
10 the following:

11 “(H) groups that provide services to indi-
12 viduals with disabilities;” and

13 (2) by striking subsection (h) and inserting the
14 following:

15 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated from the Violent Crime
17 Reduction Trust Fund established under section 310001
18 of the Violent Crime Control and Law Enforcement Act
19 of 1994 (42 U.S.C. 14211) to carry out this section
20 \$5,000,000 for each of fiscal years 2001 through 2005.”.

21 **SEC. 405. DEVELOPMENT OF RESEARCH AGENDA IDENTI-**
22 **FIED BY THE VIOLENCE AGAINST WOMEN**
23 **ACT OF 1994.**

24 (a) IN GENERAL.—The Attorney General shall—

25 (1) direct the National Institute of Justice, in
26 consultation and coordination with the Bureau of

1 Justice Statistics and the National Academy of
2 Sciences, through its National Research Council, to
3 develop a research agenda based on the rec-
4 ommendations contained in the report entitled “Un-
5 derstanding Violence Against Women” of the Na-
6 tional Academy of Sciences ; and

7 (2) not later than 1 year after the date of en-
8 actment of this Act, in consultation with the Sec-
9 retary of the Department of Health and Human
10 Services, submit to Congress a report which shall
11 include—

12 (A) a description of the research agenda
13 developed under paragraph (1) and a plan to
14 implement that agenda;

15 (B) recommendations for priorities in car-
16 rying out that agenda to most effectively ad-
17 vance knowledge about and means by which to
18 prevent or reduce violence against women.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated from the Violent Crime
21 Reduction Trust Fund established under section 31001 of
22 the Violent Crime Control and Law Enforcement Act of
23 1994 (42 U.S.C. 14211) such sums as may be necessary
24 to carry out this section.

TITLE V—BATTERED IMMIGRANT WOMEN

SEC. 501. SHORT TITLE.

This title may be cited as the “Battered Immigrant Women Protection Act of 2000”.

SEC. 502. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the goal of the immigration protections for battered immigrants included in the Violence Against Women Act of 1994 was to remove immigration laws as a barrier that kept battered immigrant women and children locked in abusive relationships;

(2) providing battered immigrant women and children who were experiencing domestic violence at home with protection against deportation allows them to obtain protection orders against their abusers and frees them to cooperate with law enforcement and prosecutors in criminal cases brought against their abusers and the abusers of their children without fearing that the abuser will retaliate by withdrawing or threatening withdrawal of access to an immigration benefit under the abuser’s control; and

1 (3) there are several groups of battered immi-
 2 grant women and children who do not have access
 3 to the immigration protections of the Violence
 4 Against Women Act of 1994 which means that their
 5 abusers are virtually immune from prosecution be-
 6 cause their victims can be deported as a result of ac-
 7 tion by their abusers and the Immigration and Nat-
 8 uralization Service cannot offer them protection no
 9 matter how compelling their case under existing law.

10 (b) PURPOSES.—The purposes of this title are—

11 (1) to remove barriers to criminal prosecutions
 12 of persons who commit acts of battery or extreme
 13 cruelty against immigrant women and children; and

14 (2) to offer protection against domestic violence
 15 occurring in family and intimate relationships that
 16 are covered in State and tribal protection orders, do-
 17 mestic violence, and family law statutes.

18 **SEC. 503. IMPROVED ACCESS TO IMMIGRATION PROTEC-**
 19 **TIONS OF THE VIOLENCE AGAINST WOMEN**
 20 **ACT OF 1994 FOR BATTERED IMMIGRANT**
 21 **WOMEN.**

22 (a) INTENDED SPOUSE DEFINED.—Section 101(a) of
 23 the Immigration and Nationality Act (8 U.S.C. 1101(a))
 24 is amended by adding at the end the following:

1 “(50) The term ‘intended spouse’ means any alien
 2 who meets the criteria set forth in section
 3 204(a)(1)(A)(iii)(II)(aa)(BB),
 4 204(a)(1)(B)(ii)(II)(aa)(BB), or 240A(b)(2)(A)(i)(III).”.

5 (b) IMMEDIATE RELATIVE STATUS FOR SELF-PETI-
 6 TIONERS MARRIED TO U.S. CITIZENS.—

7 (1) SELF-PETITIONING SPOUSES.—

8 (A) BATTERY OR CRUELTY TO ALIEN OR
 9 ALIEN’S CHILD.—Section 204(a)(1)(A)(iii) of
 10 the Immigration and Nationality Act (8 U.S.C.
 11 1154(a)(1)(A)(iii)) is amended to read as fol-
 12 lows:

13 “(iii)(I) An alien who is described in subclause (II)
 14 may file a petition with the Attorney General under this
 15 clause for classification of the alien (and any child of the
 16 alien) if the alien demonstrates to the Attorney General
 17 that—

18 “(aa) the marriage or the intent to marry the
 19 United States citizen was entered into in good faith
 20 by the alien; and

21 “(bb) during the marriage or relationship in-
 22 tended by the alien to be legally a marriage, the
 23 alien or a child of the alien has been battered or has
 24 been the subject of extreme cruelty perpetrated by
 25 the alien’s spouse or intended spouse.

1 “(II) For purposes of subclause (I), an alien de-
2 scribed in this subclause is an alien—

3 “(aa)(AA) who is the spouse of a citizen of the
4 United States;

5 “(BB) who believed that he or she had married
6 a citizen of the United States and with whom a mar-
7 riage ceremony was actually performed and who oth-
8 erwise meets any applicable requirements under this
9 Act to establish the existence of and bona fides of
10 a marriage, but whose marriage is not legitimate
11 solely because of the bigamy of such citizen of the
12 United States; or

13 “(CC) who was a bona fide spouse of a United
14 States citizen within the past 2 years and—

15 “(aaa) whose spouse died within the past
16 2 years;

17 “(bbb) whose spouse lost or renounced citi-
18 zenship status related to an incident of domes-
19 tic violence; or

20 “(ccc) who demonstrates a connection be-
21 tween the legal termination of the marriage and
22 battering or extreme cruelty by the United
23 States citizen spouse;

24 “(bb) who is a person of good moral character;

1 “(cc) who is eligible to be classified as an imme-
2 diate relative under section 201(b)(2)(A)(i) or who
3 would have been so classified but for the bigamy of
4 the citizen of the United States that the alien in-
5 tended to marry; and

6 “(dd) who has resided with the alien’s spouse or
7 intended spouse.”.

8 (2) SELF-PETITIONING CHILDREN.—Section
9 204(a)(1)(A)(iv) of the Immigration and Nationality
10 Act (8 U.S.C. 1154(a)(1)(A)(iv)) is amended to read
11 as follows:

12 “(iv) An alien who is the child of a citizen of the
13 United States, or who was a child of a United States cit-
14 izen parent who lost or renounced citizenship status re-
15 lated to an incident of domestic violence, and who is a
16 person of good moral character, who is eligible to be classi-
17 fied as an immediate relative under section
18 201(b)(2)(A)(i), and who resides, or has resided in the
19 past, with the citizen parent may file a petition with the
20 Attorney General under this subparagraph for classifica-
21 tion of the alien (and any child of the alien) under such
22 section if the alien demonstrates to the Attorney General
23 that the alien has been battered by or has been the subject
24 of extreme cruelty perpetrated by the alien’s citizen par-

1 ent. For purposes of this clause, residence includes any
2 period of visitation.”.

3 (3) FILING OF PETITIONS.—Section
4 204(a)(1)(A) of the Immigration and Nationality
5 Act (8 U.S.C. 1154 (a)(1)(A)(iv)) is amended by
6 adding at the end the following:

7 “(v) An alien who is the spouse, intended spouse, or
8 child of a United States citizen living abroad and who is
9 eligible to file a petition under clause (iii) or (iv) shall file
10 such petition with the Attorney General under the proce-
11 dures that apply to self-petitioners under clauses (iii) or
12 (iv).”.

13 (c) SECOND PREFERENCE IMMIGRATION STATUS
14 FOR SELF-PETITIONERS MARRIED TO LAWFUL PERMA-
15 NENT RESIDENTS.—

16 (1) SELF-PETITIONING SPOUSES.—Section
17 204(a)(1)(B)(ii) of the Immigration and Nationality
18 Act (8 U.S.C. 1154(a)(1)(B)(ii)) is amended to read
19 as follows:

20 “(ii)(I) An alien who is described in subclause (II)
21 may file a petition with the Attorney General under this
22 clause for classification of the alien (and any child of the
23 alien) if such a child has not been classified under clause
24 (iii) of section 203(a)(2)(A) and if the alien demonstrates
25 to the Attorney General that—

1 “(aa) the marriage or the intent to marry the
2 lawful permanent resident was entered into in good
3 faith by the alien; and

4 “(bb) during the marriage or relationship in-
5 tended by the alien to be legally a marriage, the
6 alien or a child of the alien has been battered or has
7 been the subject of extreme cruelty perpetrated by
8 the alien’s spouse or intended spouse.

9 “(II) For purposes of subclause (I), an alien de-
10 scribed in this paragraph is an alien—

11 “(aa)(AA) who is the spouse of a lawful perma-
12 nent resident of the United States; or

13 “(BB) who believed that he or she had married
14 a lawful permanent resident of the United States
15 and with whom a marriage ceremony was actually
16 performed and who otherwise meets any applicable
17 requirements under this Act to establish the exist-
18 ence of and bona fides of a marriage, but whose
19 marriage is not legitimate solely because of the biga-
20 my of such lawful permanent resident of the United
21 States; or

22 “(CC) who was a bona fide spouse of a lawful
23 permanent resident within the past 2 years and—

24 “(aaa) whose spouse lost status due to an
25 incident of domestic violence; or

1 “(bbb) who demonstrates a connection be-
 2 tween the legal termination of the marriage and
 3 battering or extreme cruelty by the lawful per-
 4 manent resident spouse;

5 “(bb) who is a person of good moral character;

6 “(cc) who is eligible to be classified as a spouse
 7 of an alien lawfully admitted for permanent resi-
 8 dence under section 203(a)(2)(A) or who would have
 9 been so classified but for the bigamy of the lawful
 10 permanent resident of the United States that the
 11 alien intended to marry; and

12 “(dd) who has resided with the alien’s spouse or
 13 intended spouse.”.

14 (3) SELF-PETITIONING CHILDREN.—Section
 15 204(a)(1)(B)(iii) of the Immigration and Nationality
 16 Act (8 U.S.C. 1154(a)(1)(B)(iii)) is amended to
 17 read as follows:

18 “(iii) An alien who is the child of an alien lawfully
 19 admitted for permanent residence, or who was the child
 20 of a lawful permanent resident who lost lawful permanent
 21 resident status due to an incident of domestic violence,
 22 and who is a person of good moral character, who is eligi-
 23 ble for classification under section 203(a)(2)(A), and who
 24 resides, or has resided in the past, with the alien’s perma-
 25 nent resident alien parent may file a petition with the At-

1 torney General under this subparagraph for classification
 2 of the alien (and any child of the alien) under such section
 3 if the alien demonstrates to the Attorney General that the
 4 alien has been battered by or has been the subject of ex-
 5 treme cruelty perpetrated by the alien’s permanent resi-
 6 dent parent. For purposes of this clause, residence in-
 7 cludes any period of visitation.”.

8 (4) FILING OF PETITIONS.—Section
 9 204(a)(1)(B) of the Immigration and Nationality
 10 Act (8 U.S.C. 1154(a)(1)(B)) is amended by adding
 11 at the end the following:

12 “(iv) An alien who is the spouse, intended spouse, or
 13 child of a lawful permanent resident living abroad is eligi-
 14 ble to file a petition under clause (ii) or (iii) shall file such
 15 petition with the Attorney General under the procedures
 16 that apply to self-petitioners under clauses (ii) or (iii).”.

17 (d) GOOD MORAL CHARACTER DETERMINATIONS
 18 FOR SELF-PETITIONERS AND TREATMENT OF CHILD
 19 SELF-PETITIONERS AND PETITIONS INCLUDING DERIVA-
 20 TIVE CHILDREN ATTAINING 21 YEARS OF AGE.—Section
 21 204(a)(1) of the Immigration and Nationality Act (8
 22 U.S.C. 1154(a)(1)) is amended—

23 (1) by redesignating subparagraphs (C) through
 24 (H) as subparagraphs (E) through (J), respectively;

1 (2) by inserting after subparagraph (B) the fol-
2 lowing:

3 “(C) Notwithstanding section 101(f), an
4 act or conviction that is waivable with respect
5 to the petitioner for purposes of a determina-
6 tion of the petitioner’s admissibility under sec-
7 tion 212(a) or deportability under section
8 237(a) shall not bar the Attorney General from
9 finding the petitioner to be of good moral char-
10 acter under subparagraph (A)(iii), (A)(iv),
11 (B)(ii), or (B)(iii) if the Attorney General finds
12 that the act or conviction was connected to the
13 alien’s having been battered or subjected to ex-
14 treme cruelty.

15 “(D)(i)(I) Any child who attains 21 years
16 of age who has filed a petition under clause (iv)
17 of section 204(a)(1)(A) that was filed or ap-
18 proved before the date on which the child at-
19 tained 21 years of age shall be considered (if
20 the child has not been admitted or approved for
21 lawful permanent residence by the date the
22 child attained 21 years of age) a petitioner for
23 preference status under paragraph (1), (2), or
24 (3) of section 203(a), whichever paragraph is
25 applicable, with the same priority date assigned

1 to the self-petition filed under clause (iv) of sec-
2 tion 204(a)(1)(A). No new petition shall be re-
3 quired to be filed.

4 “(II) Any individual described in subclause
5 (I) is eligible for deferred action and work au-
6 thorization.

7 “(III) Any derivative child who attains 21
8 years of age who is included in a petition de-
9 scribed in clause (ii) that was filed or approved
10 before the date on which the child attained 21
11 years of age shall be considered (if the child has
12 not been admitted or approved for lawful per-
13 manent residence by the date the child attained
14 21 years of age) a petitioner for preference sta-
15 tus under paragraph (1), (2), or (3) of section
16 203(a), whichever paragraph is applicable, with
17 the same priority date as that assigned to the
18 petitioner in any petition described in clause
19 (ii). No new petition shall be required to be
20 filed.

21 “(IV) Any individual described in sub-
22 clause (III) and any derivative child of a peti-
23 tion described in clause (ii) is eligible for de-
24 ferred action and work authorization.

1 “(ii) The petition referred to in clause
 2 (i)(III) is a petition filed by an alien under sub-
 3 paragraph (A)(iii), (A)(iv), (B)(ii) or (B)(iii) in
 4 which the child is included as a derivative bene-
 5 ficiary.”; and

6 (3) in subparagraph (J) (as so redesignated),
 7 by inserting “or in making determinations under
 8 subparagraphs (C) and (D),” after “subparagraph
 9 (B),”.

10 (e) ACCESS TO NATURALIZATION FOR DIVORCED
 11 VICTIMS OF ABUSE.—Section 319(a) of the Immigration
 12 and Nationality Act (8 U.S.C. 1430(a)) is amended—

13 (1) by inserting “, or any person who obtained
 14 status as a lawful permanent resident by reason of
 15 his or her status as a spouse or child of a United
 16 States citizen who battered him or her or subjected
 17 him or her to extreme cruelty,” after “United
 18 States” the first place such term appears; and

19 (2) by inserting “(except in the case of a person
 20 who has been battered or subjected to extreme cru-
 21 elty by a United States citizen spouse or parent)”
 22 after “has been living in marital union with the cit-
 23 izen spouse”.

1 **SEC. 504. IMPROVED ACCESS TO CANCELLATION OF RE-**
2 **MOVAL AND SUSPENSION OF DEPORTATION**
3 **UNDER THE VIOLENCE AGAINST WOMEN ACT**
4 **OF 1994.**

5 (a) CANCELLATION OF REMOVAL AND ADJUSTMENT
6 OF STATUS FOR CERTAIN NONPERMANENT RESI-
7 DENTS.—Section 240A(b)(2) of the Immigration and Na-
8 tionality Act (8 U.S.C. 1229b(b)(2)) is amended to read
9 as follows:

10 “(2) SPECIAL RULE FOR BATTERED SPOUSE OR
11 CHILD.—

12 “(A) AUTHORITY.—The Attorney General
13 may cancel removal of, and adjust to the status
14 of an alien lawfully admitted for permanent res-
15 idence, an alien who is inadmissible or deport-
16 able from the United States if the alien dem-
17 onstrates that—

18 “(i)(I) the alien has been battered or
19 subjected to extreme cruelty by a spouse or
20 parent who is or was a United States cit-
21 izen (or is the parent of a child of a
22 United States citizen and the child has
23 been battered or subjected to extreme cru-
24 elty by such citizen parent);

25 “(II) the alien has been battered or
26 subjected to extreme cruelty by a spouse or

1 parent who is or was a lawful permanent
2 resident (or is the parent of a child of an
3 alien who is or was a lawful permanent
4 resident and the child has been battered or
5 subjected to extreme cruelty by such per-
6 manent resident parent); or

7 “(III) the alien has been battered or
8 subjected to extreme cruelty by a United
9 States citizen or lawful permanent resident
10 whom the alien intended to marry, but
11 whose marriage is not legitimate because
12 of that United States citizen’s or lawful
13 permanent resident’s bigamy;

14 “(ii) the alien has been physically
15 present in the United States for a contin-
16 uous period of not less than 3 years imme-
17 diately preceding the date of such applica-
18 tion, and the issuance of a charging docu-
19 ment for removal proceedings shall not toll
20 the 3-year period of continuous physical
21 presence in the United States;

22 “(iii) the alien has been a person of
23 good moral character during such period,
24 subject to the provisions of subparagraph
25 (C);

1 “(iv) the alien is not inadmissible
2 under paragraph (2) or (3) of section
3 212(a), is not deportable under paragraphs
4 (1)(G) or (2) through (4) of section 237(a)
5 (except in a case described in section
6 237(a)(7) where the Attorney General ex-
7 ercises discretion to grant a waiver), and
8 has not been convicted of an aggravated
9 felony; and

10 “(v) the removal would result in ex-
11 treme hardship to the alien, the alien’s
12 child, or the alien’s parent.

13 “(B) PHYSICAL PRESENCE.—Notwith-
14 standing subsection (d)(2), for purposes of sub-
15 paragraph (A)(i)(II) or for purposes of section
16 244(a)(3) (as in effect before the title III–A ef-
17 fective date in section 309 of the Illegal Immi-
18 gration Reform and Immigrant Responsibility
19 Act of 1996), an alien shall not be considered
20 to have failed to maintain continuous physical
21 presence by reason of an absence if the alien
22 demonstrates a connection between the absence
23 and the battering or extreme cruelty per-
24 petrated against the alien. No absence or por-
25 tion of an absence connected to the battering or

1 extreme cruelty shall count toward the 90-day
2 or 180-day limits established in subsection
3 (d)(2). If any absence or aggregate absences ex-
4 ceed 180 days, the absences or portions of the
5 absences will not be considered to break the pe-
6 riod of continuous presence. Any such period of
7 time excluded from the 180-day limit shall be
8 excluded in computing the time during which
9 the alien has been physically present for pur-
10 poses of the 3-year requirement set forth in sec-
11 tion 240A(b)(2)(B) and section 244(a)(3) (as in
12 effect before the title III–A effective date in
13 section 309 of the Illegal Immigration Reform
14 and Immigrant Responsibility Act of 1996).

15 “(C) GOOD MORAL CHARACTER.—Notwith-
16 standing section 101(f), an act or conviction
17 that would be waivable with respect to the alien
18 for purposes of a determination of the alien’s
19 admissibility under section 212(a) or is
20 waivable with respect to the alien for purposes
21 of the alien’s deportability under section 237(a)
22 shall not bar the Attorney General from finding
23 the alien to be of good moral character under
24 subparagraph (A)(i)(III) or section 244(a)(3)
25 (as in effect before the title III–A effective date

1 in section 309 of the Illegal Immigration Re-
 2 form and Immigrant Responsibility Act of
 3 1996), if the Attorney General finds that the
 4 act or conviction was connected to the alien's
 5 having been battered or subjected to extreme
 6 cruelty and determines that a waiver would be
 7 or is otherwise warranted.

8 “(D) CREDIBLE EVIDENCE CONSID-
 9 ERED.—In acting on applications under this
 10 paragraph, the Attorney General shall consider
 11 any credible evidence relevant to the applica-
 12 tion. The determination of what evidence is
 13 credible and the weight to be given that evi-
 14 dence shall be within the sole discretion of the
 15 Attorney General.”.

16 (b) CHILDREN OF BATTERED ALIENS AND PARENTS
 17 OF BATTERED ALIEN CHILDREN.—Section 240A(b) of
 18 the Immigration and Nationality Act (8 U.S.C. 1229b(b))
 19 is amended by adding at the end the following:

20 “(4) CHILDREN OF BATTERED ALIENS AND
 21 PARENTS OF BATTERED ALIEN CHILDREN.—

22 “(A) IN GENERAL.—The Attorney General
 23 shall grant parole under section 212(d)(5) to
 24 any alien who is a—

1 “(i) child of an alien granted relief
2 under section 240A(b)(2) or 244(a)(3) (as
3 in effect before the title III–A effective
4 date in section 309 of the Illegal Immigra-
5 tion Reform and Immigrant Responsibility
6 Act of 1996); or

7 “(ii) parent of a child alien granted
8 relief under section 240A(b)(2) or
9 244(a)(3) (as in effect before the title III–
10 A effective date in section 309 of the Ille-
11 gal Immigration Reform and Immigrant
12 Responsibility Act of 1996).

13 “(B) DURATION OF PAROLE.—The grant
14 of parole shall extend from the time of the
15 grant of relief under section 240A(b)(2) or sec-
16 tion 244(a)(3) (as in effect before the title III–
17 A effective date in section 309 of the Illegal Im-
18 migration Reform and Immigrant Responsibility
19 Act of 1996) to the time the application for ad-
20 justment of status filed by aliens covered under
21 this paragraph has been finally adjudicated. Ap-
22 plications for adjustment of status filed by
23 aliens covered under this paragraph shall be
24 treated as if they were applications filed under
25 section 204(a)(1) (A)(iii), (A)(iv), (B)(ii), or

1 (B)(iii) for purposes of section 245 (a) and (c).
 2 Failure by the alien granted relief under section
 3 240A(b)(2) or section 244(a)(3) (as in effect
 4 before the title III–A effective date in section
 5 309 of the Illegal Immigration Reform and Im-
 6 migrant Responsibility Act of 1996) to exercise
 7 due diligence in filing a visa petition on behalf
 8 of an alien described in clause (i) or (ii) may
 9 result in revocation of parole.”.

10 (c) EFFECTIVE DATE.—Any individual who becomes
 11 eligible for relief by reason of the enactment of the amend-
 12 ments made by subsections (a) and (b), shall be eligible
 13 to file a motion to reopen pursuant to section
 14 240(c)(6)(C)(iv). The amendments made by subsections
 15 (a) and (b) shall take effect as if included in the enactment
 16 of section 304 of the Illegal Immigration Reform and Im-
 17 migrant Responsibility Act of 1996 (Public Law 104–208;
 18 110 Stat. 587). Such portions of the amendments made
 19 by subsection (b) that relate to section 244(a)(3) (as in
 20 effect before the title III–A effective date in section 309
 21 of the Illegal Immigration Reform and Immigrant Respon-
 22 sibility Act of 1996) shall take effect as if included in sub-
 23 title G of title IV of the Violent Crime Control and Law
 24 Enforcement Act of 1994 (Public Law 103–322; 108 Stat.
 25 1953 et seq.).

1 **SEC. 505. OFFERING EQUAL ACCESS TO IMMIGRATION PRO-**
 2 **TECTIONS OF THE VIOLENCE AGAINST**
 3 **WOMEN ACT OF 1994 FOR ALL QUALIFIED**
 4 **BATTERED IMMIGRANT SELF-PETITIONERS.**

5 (a) **ELIMINATING CONNECTION BETWEEN BATTERY**
 6 **AND UNLAWFUL ENTRY.**—Section 212(a)(6)(A)(ii) of the
 7 Immigration and Nationality Act (8 U.S.C.
 8 1182(a)(6)(A)(ii)) is amended—

9 (1) by striking subclause (I) and inserting the
 10 following:

11 “(I) the alien qualifies for classi-
 12 fication under subparagraph (A)(iii),
 13 (A)(iv), (B)(ii), or (B)(iii) of section
 14 204(a)(i); and”;

15 (2) in subclause (II), by striking “, and” and
 16 inserting a period; and

17 (3) by striking subclause (III).

18 (b) **ELIMINATING CONNECTION BETWEEN BATTERY**
 19 **AND VIOLATION OF THE TERMS OF AN IMMIGRANT**
 20 **VISA.**—Section 212(a)(9)(B)(iii)(IV) of the Immigration
 21 and Nationality Act (8 U.S.C. 1182(a)(9)(B)(iii)(IV)) is
 22 amended by striking “who would be described in para-
 23 graph (6)(A)(ii)” and all that follows before the period
 24 and inserting “who is described in paragraph (6)(A)(ii)”.

25 (c) **BATTERED IMMIGRANT WAIVER.**—Section
 26 212(a)(9)(C)(ii) of the Immigration and Nationality Act

1 (8 U.S.C. 1182(a)(9)(C)(ii)) is amended by adding at the
 2 end the following: “The Attorney General in the Attorney
 3 General’s discretion may waive the provisions of section
 4 212(a)(9)(C)(i) in the case of an alien to whom the Attor-
 5 ney General has granted classification under clause (iii),
 6 (iv), (v), or (vi) of section 204(a)(1)(A), or classification
 7 under clause (ii), (iii), or (iv) of section 204(a)(1)(B), in
 8 any case in which there is a connection between—

9 “(1) the aliens having been battered or sub-
 10 jected to extreme cruelty; and

11 “(2) the alien’s—

12 “(A) removal;

13 “(B) departure from the United States;

14 “(C) reentry or reentries into the United
 15 States; or

16 “(D) attempted reentry into the United
 17 States.”.

18 (d) DOMESTIC VIOLENCE VICTIM WAIVER.—

19 (1) WAIVER FOR VICTIMS OF DOMESTIC VIO-
 20 LENCE.—Section 237(a) of the Immigration and Na-
 21 tionality Act (8 U.S.C. 1227(a)) is amended by in-
 22 serting at the end the following:

23 “(7) WAIVER FOR VICTIMS OF DOMESTIC VIO-
 24 LENCE.—

1 “(A) IN GENERAL.—The Attorney General
2 is not limited by the criminal court record and
3 may waive the application of paragraph
4 (2)(E)(i) (with respect to crimes of domestic vi-
5 olence and crimes of stalking) and (ii) in the
6 case of an alien who has been battered or sub-
7 jected to extreme cruelty and who is not and
8 was not the primary perpetrator of violence in
9 the relationship—

10 “(i) upon a determination that—

11 “(I) the alien was acting in self-
12 defense;

13 “(II) the alien was found to have
14 violated a protection order intended to
15 protect the alien; or

16 “(III) the alien committed, was
17 arrested for, was convicted of, or pled
18 guilty to committing a crime—

19 “(aa) that did not result in
20 serious bodily injury; and

21 “(bb) where there was a
22 connection between the crime and
23 the alien’s having been battered
24 or subjected to extreme cruelty.

1 “(B) CREDIBLE EVIDENCE CONSIDERED.—

2 In acting on applications under this paragraph,
3 the Attorney General shall consider any credible
4 evidence relevant to the application. The deter-
5 mination of what evidence is credible and the
6 weight to be given that evidence shall be within
7 the sole discretion of the Attorney General.”.

8 (2) CONFORMING AMENDMENT.—Section
9 240A(b)(1)(C) of the Immigration and Nationality
10 Act (8 U.S.C. 1229b(b)(1)(C)) is amended by insert-
11 ing “(except in a case described in section 237(a)(7)
12 where the Attorney General exercises discretion to
13 grant a waiver)” after “237(a)(3)”.

14 (e) MISREPRESENTATION WAIVERS FOR BATTERED
15 SPOUSES OF UNITED STATES CITIZENS AND LAWFUL
16 PERMANENT RESIDENTS.—

17 (1) WAIVER OF INADMISSIBILITY.—Section
18 212(i)(1) of the Immigration and Nationality Act (8
19 U.S.C. 1182(i)(1)) is amended by inserting before
20 the period at the end the following: “or, in the case
21 of an alien granted classification under clause (iii) or
22 (iv) of section 204(a)(1)(A) or clause (ii) or (iii) of
23 section 204(a)(1)(B), or who would otherwise qualify
24 for relief under section 240A(b)(2) or under section
25 244(a)(3) (as in effect before the title III–A effective

1 date in section 309 of the Illegal Immigration Re-
 2 form and Immigrant Responsibility Act of 1996),
 3 the alien demonstrates extreme hardship to the alien
 4 or the alien’s United States citizen, lawful perma-
 5 nent resident, or qualified alien parent or child”.

6 (2) WAIVER OF DEPORTABILITY.—Section
 7 237(a)(1)(H) of the Immigration and Nationality
 8 Act (8 U.S.C. 1227(a)(1)(H)) is amended—

9 (A) in clause (i), by inserting “(I)” after
 10 “(i)”;

11 (B) by redesignating clause (ii) as sub-
 12 clause (II); and

13 (C) by adding after clause (i) the following:

14 “(ii) is an alien who qualifies for clas-
 15 sification under clause (iii) or (iv) of sec-
 16 tion 204(a)(1)(A) or clause (ii) or (iii) of
 17 section 204(a)(1)(B), or who qualifies for
 18 relief under section 240A(b)(2) or under
 19 section 244(a)(3) (as in effect before the
 20 title III–A effective date in section 309 of
 21 the Illegal Immigration Reform and Immig-
 22 grant Responsibility Act of 1996).”.

23 (f) BATTERED IMMIGRANT WAIVER.—Section
 24 212(g)(1) of the Immigration and Nationality Act (8
 25 U.S.C. 1182(g)(1)) is amended—

1 (1) in subparagraph (A), by striking “or” at
2 the end;

3 (2) in subparagraph (B), by adding “or” at the
4 end; and

5 (3) by inserting after subparagraph (B) the fol-
6 lowing:

7 “(C) qualifies for classification under
8 clause (iii) or (iv) of section 204(a)(1)(A) or
9 classification under clause (ii) or (iii) of section
10 204(a)(1)(B), relief under section 240A(b)(2),
11 or relief under section 244(a)(3) (as in effect
12 before the title III–A effective date in section
13 309 of the Illegal Immigration Reform and Im-
14 migrant Responsibility Act of 1996);”.

15 (g) WAIVERS FOR VAWA ELIGIBLE BATTERED IM-
16 MIGRANTS.—Section 212(h)(1) of the Immigration and
17 Nationality Act (8 U.S.C. 1182(h)(1)) is amended—

18 (1) in subparagraph (B), by striking “and” and
19 inserting “or”;

20 (2) by adding at the end the following:

21 “(C) the alien qualifies for classification
22 under clause (iii) or (iv) of section
23 204(a)(1)(A), classification under clause (ii) or
24 (iii) of section 204(a)(1)(B), relief under sec-
25 tion 240A(b)(2) or relief under section

1 244(a)(3) (as in effect before the title III–A ef-
2 fective date in section 309 of the Illegal Immi-
3 gration Reform and Immigrant Responsibility
4 Act of 1996); and”.

5 (h) PUBLIC CHARGE.—Section 212 of the Immigra-
6 tion and Nationality Act (8 U.S.C. 1182) is amended by
7 adding at the end the following:

8 “(p) In determining whether an alien described in
9 subsection (a)(4)(C)(i) is inadmissible under subsection
10 (a)(4) or ineligible to receive an immigrant visa or other-
11 wise to adjust to the status of permanent resident by rea-
12 son of subsection (a)(4), the consular officer or the Attor-
13 ney General shall not consider any benefits the alien may
14 have received that were authorized under section 501 of
15 the Illegal Immigration Reform and Immigrant Responsi-
16 bility Act of 1996 (8 U.S.C. 1641(c)).”.

17 (i) REPORT.—Not later than 6 months after the date
18 of enactment of this Act, the Attorney General shall sub-
19 mit a report to the Committees on the Judiciary of the
20 Senate and the House of Representatives covering, with
21 respect to the fiscal year 1997 and each fiscal year
22 thereafter—

23 (1) the policy and procedures of the Immigra-
24 tion and Naturalization Service under which an alien
25 who has been battered or subjected to extreme cru-

1 elty who is eligible for suspension of deportation or
 2 cancellation of removal can request to be placed, and
 3 be placed, in deportation or removal proceedings so
 4 that such alien may apply for suspension of deporta-
 5 tion or cancellation of removal;

6 (2) the number of requests filed at each district
 7 office under this policy;

8 (3) the number of these requests granted re-
 9 ported separately for each district; and

10 (4) the average length of time at each Immigra-
 11 tion and Naturalization office between the date that
 12 an alien who has been subject to battering or ex-
 13 treme cruelty eligible for suspension of deportation
 14 or cancellation of removal requests to be placed in
 15 deportation or removal proceedings and the date
 16 that the immigrant appears before an immigration
 17 judge to file an application for suspension of depor-
 18 tation or cancellation of removal.

19 **SEC. 506. RESTORING IMMIGRATION PROTECTIONS UNDER**
 20 **THE VIOLENCE AGAINST WOMEN ACT OF**
 21 **1994.**

22 (a) REMOVING BARRIERS TO ADJUSTMENT OF STA-
 23 TUS FOR VICTIMS OF DOMESTIC VIOLENCE.—

1 (1) IMMIGRATION AMENDMENTS.—Section 245
 2 of the Immigration and Nationality Act (8 U.S.C.
 3 1255) is amended—

4 (A) in subsection (a), by inserting “or the
 5 status of any other alien having an approved
 6 petition for classification under subparagraph
 7 (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of section
 8 204(a)(1) or” after “into the United States.”;
 9 and

10 (B) in subsection (c), by striking “Sub-
 11 section (a) shall not be applicable to” and in-
 12 serting the following: “Other than an alien hav-
 13 ing an approved petition for classification under
 14 subparagraph (A)(iii), (A)(iv), (A)(v), (A)(vi),
 15 (B)(ii), (B)(iii), or B(iv) of section 204(a)(1),
 16 subsection (a) shall not be applicable to”.

17 (2) EFFECTIVE DATE.—The amendments made
 18 by paragraph (1) shall apply to applications for ad-
 19 justment of status pending on or made on or after
 20 January 14, 1998.

21 (b) REMOVING BARRIERS TO CANCELLATION OF RE-
 22 MOVAL AND SUSPENSION OF DEPORTATION FOR VICTIMS
 23 OF DOMESTIC VIOLENCE.—

24 (1) NOT TREATING SERVICE OF NOTICE AS
 25 TERMINATING CONTINUOUS PERIOD.—Section

240A(d)(1) of the Immigration and Nationality Act (8 U.S.C. 1229b(d)(1)) is amended by striking “when the alien is served a notice to appear under section 239(a) or” and inserting “(A) except in the case of an alien who applies for cancellation of removal under subsection (b)(2) when the alien is served a notice to appear under section 239(a), or (B)”.

(2) EXEMPTION FROM ANNUAL LIMITATION ON CANCELLATION OF REMOVAL FOR BATTERED SPOUSE OR CHILD.—Section 240A(e)(3) of the Immigration and Nationality Act (8 U.S.C. 1229b(e)(3)) is amended by adding at the end the following:

“(C) Aliens in removal proceedings who applied for cancellation of removal under subsection (b)(2).”.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect as if included in the enactment of section 304 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 587).

(4) MODIFICATION OF CERTAIN TRANSITION RULES FOR BATTERED SPOUSE OR CHILD.—Section 309(c)(5)(C) of the Illegal Immigration Reform and

1 Immigrant Responsibility Act of 1996 (8 U.S.C.
2 1101 note) is amended—

3 (A) by striking the subparagraph heading
4 and inserting the following:

5 “(C) SPECIAL RULE FOR CERTAIN ALIENS
6 GRANTED TEMPORARY PROTECTION FROM DE-
7 PORTATION AND FOR BATTERED SPOUSES AND
8 CHILDREN.—”; and

9 (B) in clause (i)—

10 (i) in subclause (IV), by striking “or”
11 at the end;

12 (ii) in subclause (V), by striking the
13 period at the end and inserting “; or”; and

14 (iii) by adding at the end the fol-
15 lowing:

16 “(VI) is an alien who was issued
17 an order to show cause or was in de-
18 portation proceedings before April 1,
19 1997, and who applied for suspension
20 of deportation under section 244(a)(3)
21 of the Immigration and Nationality
22 Act (as in effect before the date of the
23 enactment of this Act).”.

24 (5) EFFECTIVE DATE.—The amendments made
25 by paragraph (4) shall take effect as if included in

1 the enactment of section 309 of the Illegal Immigra-
 2 tion Reform and Immigrant Responsibility Act of
 3 1996 (8 U.S.C. 1101 note).

4 (c) ELIMINATING TIME LIMITATIONS ON MOTIONS
 5 TO REOPEN REMOVAL AND DEPORTATION PROCEEDINGS
 6 FOR VICTIMS OF DOMESTIC VIOLENCE.—

7 (1) REMOVAL PROCEEDINGS.—

8 (A) IN GENERAL.—Section 240(c)(6)(C) of
 9 the Immigration and Nationality Act (8 U.S.C.
 10 1229a(c)(6)(C)) is amended by adding at the
 11 end the following:

12 “(iv) SPECIAL RULE FOR BATTERED
 13 SPOUSES AND CHILDREN.—There is no
 14 time limit on the filing of a motion to re-
 15 open, and the deadline specified in sub-
 16 section (b)(5)(C) for filing such a motion
 17 does not apply—

18 “(I) if the basis for the motion is
 19 to apply for relief under clause (iii) or
 20 (iv) of section 204(a)(1)(A), clause
 21 (ii) or (iii) of section 204(a)(1)(B), or
 22 section 240A(b)(2); and

23 “(II) if the motion is accom-
 24 panied by a cancellation of removal
 25 application to be filed with the Attor-

1 ney General or by a copy of the self-
2 petition that has been or will be filed
3 with the Immigration and Naturaliza-
4 tion Service upon the granting of the
5 motion to reopen.”.

6 (B) EFFECTIVE DATE.—The amendment
7 made by subparagraph (A) shall take effect as
8 if included in the enactment of section 304 of
9 the Illegal Immigration Reform and Immigrant
10 Responsibility Act of 1996 (8 U.S.C. 1229–
11 1229c).

12 (2) DEPORTATION PROCEEDINGS.—

13 (A) IN GENERAL.—Notwithstanding any
14 limitation imposed by law on motions to reopen
15 or rescind deportation proceedings under the
16 Immigration and Nationality Act (as in effect
17 before the title III–A effective date in section
18 309 of the Illegal Immigration Reform and Im-
19 migrant Responsibility Act of 1996 (8 U.S.C.
20 1101 note)), there is no time limit on the filing
21 of a motion to reopen such proceedings, and the
22 deadline specified in section 242B(c)(3) of the
23 Immigration and Nationality Act (as so in ef-
24 fect) (8 U.S.C. 1252b(c)(3)) does not apply—

1 (i) if the basis of the motion is to
2 apply for relief under clause (iii) or (iv) of
3 section 204(a)(1)(A) of the Immigration
4 and Nationality Act (8 U.S.C.
5 1154(a)(1)(A)), clause (ii) or (iii) of sec-
6 tion 204(a)(1)(B) of such Act (8 U.S.C.
7 1154(a)(1)(B)), or section 244(a)(3) of
8 such Act (as so in effect) (8 U.S.C.
9 1254(a)(3)); and

10 (ii) if the motion is accompanied by a
11 suspension of deportation application to be
12 filed with the Attorney General or by a
13 copy of the self-petition that will be filed
14 with the Immigration and Naturalization
15 Service upon the granting of the motion to
16 reopen.

17 (B) APPLICABILITY.—Subparagraph (A)
18 shall apply to motions filed by aliens who—

19 (i) are, or were, in deportation pro-
20 ceedings under the Immigration and Na-
21 tionality Act (as in effect before the title
22 III–A effective date in section 309 of the
23 Illegal Immigration Reform and Immigrant
24 Responsibility Act of 1996 (8 U.S.C. 1101
25 note)); and

(ii) have become eligible to apply for relief under clause (iii) or (iv) of section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)), clause (ii) or (iii) of section 204(a)(1)(B) of such Act (8 U.S.C. 1154(a)(1)(B)), or section 244(a)(3) of such Act (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note)) as a result of the amendments made by—

(I) subtitle G of title IV of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1953 et seq.); or

(II) this title.

**SEC. 507. REMEDYING PROBLEMS WITH IMPLEMENTATION
OF THE IMMIGRATION PROVISIONS OF THE
VIOLENCE AGAINST WOMEN ACT OF 1994.**

(a) EFFECT OF CHANGES IN ABUSERS' CITIZENSHIP STATUS ON SELF-PETITION.—

(1) RECLASSIFICATION.—Section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)) (as amended by section 503(b)(3) of

1 this title) is amended by adding at the end the fol-
 2 lowing:

3 “(vi) For the purposes of any petition filed under
 4 clause (iii) or (iv), the denaturalization, loss or renunci-
 5 ation of citizenship, death of the abuser, divorce, or
 6 changes to the abuser’s citizenship status after filing of
 7 the petition shall not adversely affect the approval of the
 8 petition, and for approved petitions shall not preclude the
 9 classification of the eligible self-petitioning spouse or child
 10 as an immediate relative or affect the alien’s ability to ad-
 11 just status under subsections (a) and (c) of section 245
 12 or obtain status as a lawful permanent resident based on
 13 the approved self-petition under such clauses.”.

14 (2) LOSS OF STATUS.—Section 204(a)(1)(B) of
 15 the Immigration and Nationality Act (8 U.S.C.
 16 1154(a)(1)(B)) (as amended by section 503(c)(4) of
 17 this title) is amended by adding at the end the fol-
 18 lowing:

19 “(v)(I) For the purposes of any petition filed or ap-
 20 proved under clause (ii) or (iii), divorce, or the loss of law-
 21 ful permanent resident status by a spouse or parent after
 22 the filing of a petition under that clause shall not ad-
 23 versely affect approval of the petition, and, for an ap-
 24 proved petition, shall not affect the alien’s ability to adjust
 25 status under subsections (a) and (c) of section 245 or ob-

tain status as a lawful permanent resident based on an approved self-petition under clause (ii) or (iii).

“(II) Upon the lawful permanent resident spouse or parent becoming or establishing the existence of United States citizenship through naturalization, acquisition of citizenship, or other means, any petition filed with the Immigration and Naturalization Service and pending or approved under clause (ii) or (iii) on behalf of an alien who has been battered or subjected to extreme cruelty shall be deemed reclassified as a petition filed under subparagraph (A) even if the acquisition of citizenship occurs after divorce or termination of parental rights.”.

(3) DEFINITION OF IMMEDIATE RELATIVES.—

Section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1154(b)(2)(A)(i)) is amended by adding at the end the following: “For purposes of this clause, an alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) of this Act remains an immediate relative in the event that the United States citizen spouse or parent loses United States citizenship on account of the abuse.”.

(b) ALLOWING REMARRIAGE OF BATTERED IMMIGRANTS.—Section 204(h) of the Immigration and Nationality Act (8 U.S.C. 1154(h)) is amended by adding at the end the following: “Remarriage of an alien whose petition

1 was approved under section 204(a)(1)(B)(ii) or
 2 204(a)(1)(A)(iii) or marriage of an alien described in sec-
 3 tion 204(a)(1)(A) (iv) or (vi) or 204(a)(1)(B)(iii) shall not
 4 be the basis for revocation of a petition approval under
 5 section 205.”.

6 **SEC. 508. TECHNICAL CORRECTION TO QUALIFIED ALIEN**
 7 **DEFINITION FOR BATTERED IMMIGRANTS.**

8 Section 431(c)(1)(B)(iii) of the Personal Responsi-
 9 bility and Work Opportunity Reconciliation Act of 1996
 10 (8 U.S.C. 1641(c)(1)(B)(iii)) is amended to read as fol-
 11 lows:

12 “(iii) suspension of deportation under
 13 section 244(a)(3) of the Immigration and
 14 Nationality Act (as in effect before the
 15 title III–A effective date in section 309 of
 16 the Illegal Immigration Reform and Immig-
 17 rant Responsibility Act of 1996).”.

18 **SEC. 509. ACCESS TO CUBAN ADJUSTMENT ACT FOR BAT-**
 19 **TERED IMMIGRANT SPOUSES AND CHILDREN.**

20 (a) IN GENERAL.—The last sentence of the first sec-
 21 tion of Public Law 89–732 (November 2, 1966; 8 U.S.C.
 22 1255 note) is amended by striking the period at the end
 23 and inserting the following: “, except that such spouse or
 24 child who has been battered or subjected to extreme cru-
 25 elty may adjust to permanent resident status under this

1 Act without demonstrating that he or she is residing with
 2 the Cuban spouse or parent in the United States. In act-
 3 ing on applications under this section with respect to
 4 spouses or children who have been battered or subjected
 5 to extreme cruelty, the Attorney General shall apply the
 6 provisions of section 204(a)(1)(H).”.

7 (b) EFFECTIVE DATE.—The amendment made by
 8 subsection (a) shall be effective as if included in subtitle
 9 G of title IV of the Violent Crime Control and Law En-
 10 forcement Act of 1994 (Public Law 103–322; 108 Stat.
 11 1953 et seq.).

12 **SEC. 510. ACCESS TO THE NICARAGUAN ADJUSTMENT AND**
 13 **CENTRAL AMERICAN RELIEF ACT FOR BAT-**
 14 **TERED SPOUSES AND CHILDREN.**

15 Section 309(c)(5)(C) of the Illegal Immigration and
 16 Reform and Immigrant Responsibility Act of 1996 (divi-
 17 sion C of Public Law 104–208; 8 U.S.C. 1101 note) is
 18 amended—

19 (1) in clause (i)—

20 (A) by striking “For purposes” and insert-
 21 ing “Subject to clauses (ii), (iii), and (iv), for
 22 purposes”;

23 (B) by striking “or” at the end of sub-
 24 clause (IV);

(C) by striking the period at the end of
subclause (V) and inserting “; or”; and

(D) by adding at the end the following:

“(VI) is at the time of filing of
an application under subclause (I),
(II), (V), or (VI) the spouse or child
of an individual described in subclause
(I), (II), or (V) and the spouse, child,
or child of the spouse has been bat-
tered or subjected to extreme cruelty
by the individual described in sub-
clause (I), (II), or (V).”; and

(2) by adding at the end the following:

“(iii) CONSIDERATION OF PETI-
TIONS.—In acting on a petition filed under
subclause (VI) or (VII) of clause (i) the
provisions set forth in section
204(a)(1)(H) shall apply.

“(iv) RESIDENCE WITH SPOUSE OR
PARENT NOT REQUIRED.—For purposes of
the application of subclauses (VI) and
(VII) of clause (i), a spouse or child shall
not be required to demonstrate that he or
she is residing with the spouse or parent in
the United States.”.

1 **SEC. 511. ACCESS TO THE HAITIAN REFUGEE FAIRNESS**
2 **ACT OF 1998 FOR BATTERED SPOUSES AND**
3 **CHILDREN.**

4 (a) IN GENERAL.—Section 902(d)(1)(B) of the Hai-
5 tian Refugee Immigration Fairness Act of 1998 (division
6 A of section 101(h) of Public Law 105–277; 112 Stat.
7 2681–538) is amended to read as follows:

8 “(B)(i) the alien is the spouse or child of
9 an alien whose status is adjusted to that of an
10 alien lawfully admitted for permanent residence
11 under subsection (a);

12 “(ii) at the time of filing or the application
13 for adjustment under subsection (a) or this sub-
14 section the alien is the spouse or child of an
15 alien whose status is adjusted to that of an
16 alien lawfully admitted for permanent residence
17 under subsection (a) and the spouse, child, or
18 child of the spouse has been battered or sub-
19 jected to extreme cruelty by the individual de-
20 scribed in subsection (a); and

21 “(iii) in acting on applications under this
22 section with respect to spouses or children who
23 have been battered or subjected to extreme cru-
24 elty, the Attorney General shall apply the provi-
25 sions of section 204(a)(1)(H).”.

1 (b) RESIDENCE WITH SPOUSE OR PARENT NOT RE-
 2 QUIRED.—Section 902(d) of such Act is amended—

3 (1) in paragraph (1), by striking “The status”
 4 and inserting “Subject to paragraphs (2) and (3),
 5 the status”; and

6 (2) by adding at the end the following:

7 “(3) RESIDENCE WITH SPOUSE OR PARENT NOT
 8 REQUIRED.—A spouse, or child may adjust to per-
 9 manent resident status under paragraph (1) without
 10 demonstrating that he or she is residing with the
 11 spouse or parent in the United States.”.

12 **SEC. 512. ACCESS TO SERVICES AND LEGAL REPRESENTA-**
 13 **TION FOR BATTERED IMMIGRANTS.**

14 (a) LAW ENFORCEMENT AND PROSECUTION
 15 GRANTS.—Section 2001(b) of part T of title I of the Om-
 16 nibus Crime Control and Safe Streets Act of 1968 (42
 17 U.S.C. 3796gg(b)) is amended—

18 (1) in paragraph (1), by inserting “, immigra-
 19 tion and asylum officers, immigration judges,” after
 20 “law enforcement officers”;

21 (2) in paragraph (8) (as amended by section
 22 209(c) of this Act), by striking “and” at the end;

23 (3) in paragraph (9) (as added by section
 24 209(c) of this Act), by striking the period at the end
 25 and inserting “; and”; and

1 (4) by adding at the end the following:

2 “(10) providing assistance to victims of domes-
3 tic violence and sexual assault in immigration mat-
4 ters.”.

5 (b) GRANTS TO ENCOURAGE ARRESTS.—Section
6 2101(b)(5) of part U of title I of the Omnibus Crime Con-
7 trol and Safe Streets Act of 1968 (42 U.S.C.
8 3796hh(b)(5)) is amended by inserting before the period
9 the following: “, including strengthening assistance to do-
10 mestic violence victims in immigration matters”.

11 (c) RURAL DOMESTIC VIOLENCE AND CHILD ABUSE
12 ENFORCEMENT GRANTS.—Section 40295(a)(2) of the
13 Violent Crime Control and Law Enforcement Act of 1994
14 (Public Law 103–322; 108 Stat. 1953; 42 U.S.C.
15 13971(a)(2)) is amended to read as follows:

16 “(2) to provide treatment, counseling, and as-
17 sistance to victims of domestic violence and child
18 abuse, including in immigration matters; and”.

19 (d) CAMPUS DOMESTIC VIOLENCE GRANTS.—Section
20 826(b)(5) of the Higher Education Amendments of 1998
21 (Public Law 105–244; 20 U.S.C. 1152) is amended by in-
22 serting before the period at the end the following: “, in-
23 cluding assistance to victims in immigration matters”.

1 **TITLE VI—EXTENSION OF VIO-**
 2 **LENT CRIME REDUCTION**
 3 **TRUST FUND**

4 **SEC. 601. EXTENSION OF VIOLENT CRIME REDUCTION**
 5 **TRUST FUND.**

6 (a) IN GENERAL.—Section 310001(b) of the Violent
 7 Crime Control and Law Enforcement Act of 1994 (42
 8 U.S.C. 14211) is amended by striking paragraphs (1)
 9 through (5) and inserting the following:

- 10 “(1) for fiscal year 2001, \$6,025,000,000;
 11 “(2) for fiscal year 2002, \$6,169,000,000;
 12 “(3) for fiscal year 2003, \$6,316,000,000;
 13 “(4) for fiscal year 2004, \$6,458,000,000; and
 14 “(5) for fiscal year 2005, \$6,616,000,000.”.

15 (b) DISCRETIONARY LIMITS.—Title XXXI of the Vio-
 16 lent Crime Control and Law Enforcement Act of 1994 (42
 17 U.S.C. 14211 et seq.) is amended by inserting after sec-
 18 tion 310001 the following:

19 **“SEC. 310002. DISCRETIONARY LIMITS.**

20 “For the purposes of allocations made for the discre-
 21 tionary category under section 302(a) of the Congressional
 22 Budget Act of 1974 (2 U.S.C. 633(a)), the term ‘discre-
 23 tionary spending limit’ means—

- 24 “(1) with respect to fiscal year 2001—

1 “(A) for the discretionary category,
2 amounts of budget authority and outlays nec-
3 essary to adjust the discretionary spending lim-
4 its to reflect the changes in subparagraph (B)
5 as determined by the Chairman of the Com-
6 mittee on the Budget of the House of Rep-
7 resentatives and the Chairman of the Com-
8 mittee on the Budget of the Senate; and

9 “(B) for the violent crime reduction cat-
10 egory, \$6,025,000,000 in new budget authority
11 and \$5,718,000,000 in outlays;

12 “(2) with respect to fiscal year 2002—

13 “(A) for the discretionary category,
14 amounts of budget authority and outlays nec-
15 essary to adjust the discretionary spending lim-
16 its to reflect the changes in subparagraph (B)
17 as determined by the Chairman of the Com-
18 mittee on the Budget of the House of Rep-
19 resentatives and the Chairman of the Com-
20 mittee on the Budget of the Senate; and

21 “(B) for the violent crime reduction cat-
22 egory, \$6,169,000,000 in new budget authority
23 and \$6,020,000,000 in outlays;

24 “(3) with respect to fiscal year 2003—

1 “(A) for the discretionary category,
2 amounts of budget authority and outlays nec-
3 essary to adjust the discretionary spending lim-
4 its to reflect the changes in subparagraph (B)
5 as determined by the Chairman of the Com-
6 mittee on the Budget of the House of Rep-
7 resentatives and the Chairman of the Com-
8 mittee on the Budget of the Senate; and

9 “(B) for the violent crime reduction cat-
10 egory, \$6,316,000,000 in new budget authority
11 and \$6,161,000,000 in outlays;

12 “(4) with respect to fiscal year 2004—

13 “(A) for the discretionary category,
14 amounts of budget authority and outlays nec-
15 essary to adjust the discretionary spending lim-
16 its to reflect the changes in subparagraph (B)
17 as determined by the Chairman of the Com-
18 mittee on the Budget of the House of Rep-
19 resentatives and the Chairman of the Com-
20 mittee on the Budget of the Senate; and

21 “(B) for the violent crime reduction cat-
22 egory, \$6,459,000,000 in new budget authority
23 and \$6,303,000,000 in outlays; and

24 “(5) with respect to fiscal year 2005—

1 “(A) for the discretionary category,
2 amounts of budget authority and outlays nec-
3 essary to adjust the discretionary spending lim-
4 its to reflect the changes in subparagraph (B)
5 as determined by the Chairman of the Com-
6 mittee on the Budget of the House of Rep-
7 resentatives and the Chairman of the Com-
8 mittee on the Budget of the Senate; and

9 “(B) for the violent crime reduction cat-
10 egory, \$6,616,000 in new budget authority and
11 \$6,452,000,000 in outlays;

12 as adjusted in accordance with section 251(b) of the
13 Balanced Budget and Emergency Deficit Control
14 Act of 1985 (2 U.S.C. 901(b)) and section 314 of
15 the Congressional Budget Act of 1974.”.

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